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Federal Register

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THE FEDERAL REGISTER

WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between the Federal Register and Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

DURHAM, NC

- WHEN:** March 20, at 9:30 a.m.
- WHERE:** Duke University,
Allen Building Conference Room,
Durham, NC.
- RESERVATIONS:** 919-684-3030.

SALT LAKE CITY, UT

- WHEN:** March 29, at 9:00 a.m.
- WHERE:** State Office Building Auditorium,
Capitol Hill,
Salt Lake City, UT.
- RESERVATIONS:** Call the Utah Department of
Administrative Services, 801-538-3010.

Contents

Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

Agricultural Marketing Service

RULES

Eggs research and promotion order, 6972

Agriculture Department

See Agricultural Marketing Service; Federal Crop Insurance Corporation; Federal Grain Inspection Service; Forest Service; Soil Conservation Service

Air Force Department

NOTICES

Meetings:

Scientific Advisory Board, 7021
(2 documents)

Antitrust Division

NOTICES

National cooperative research notifications:

National Center for Manufacturing Sciences, Inc., 7045
OSI/Network Management Forum, 7046
Power Applications Research Center, 7046

Army Department

See also Engineers Corps

NOTICES

Military traffic management:

Household goods and unaccompanied baggage; bill of lading program, 7021

Arts and Humanities, National Foundation

See National Foundation on the Arts and the Humanities

Centers for Disease Control

NOTICES

Particulate sampler performance testing; NIOSH meeting, 7032

Toxic gas monitors for indoor and workplace air, evaluation; NIOSH meeting, 7032

Commerce Department

See International Trade Administration; National Institute of Standards and Technology; National Oceanic and Atmospheric Administration

Committee for the Implementation of Textile Agreements

NOTICES

Export visa requirements; certification, waivers, etc.: Guatemala, 7019

Textile and apparel categories:

Correlation with U.S. Harmonized Tariff Schedule, 7019

Consumer Product Safety Commission

NOTICES

Meetings; Sunshine Act, 7081

Defense Department

See also Air Force Department; Army Department; Engineers Corps; Navy Department

PROPOSED RULES

Civilian health and medical program of uniformed services (CHAMPUS):

Abortions, in-vitro fertilization, etc. (multiple updates and clarifications), 7006

NOTICES

Federal Acquisition Regulation (FAR):

Agency information collection activities under OMB review, 7020
(2 documents)

Meetings:

DIA Advisory Board, 7020

Electron Devices Advisory Group, 7020

Defense Nuclear Facilities Safety Board

NOTICES

Recommendations:

Savannah River site, GA; K,L. and P reactors restart, 7022

Education Department

RULES

Elementary and secondary education:

Migrant education program; reporting and recordkeeping requirements, 6981

NOTICES

Grants and cooperative agreements; availability, etc.:

Indian education program—

Formula grants, 7023

Veterans education outreach program, 7023

Energy Department

See Federal Energy Regulatory Commission

Engineers Corps

NOTICES

Environmental statements; availability, etc.:

Palm Beach County, FL, 7021

Meetings:

Inland Waterways Users Board, 7022

Environmental Protection Agency

RULES

Air pollution control; new motor vehicles and engines:

Emission certification procedures, 7178

NOTICES

Toxic and hazardous substances control:

Asbestos-containing materials in schools—

EPA-approved courses and tests, and accredited laboratories, 7202

Federal Aviation Administration

RULES

Airworthiness directives:

Boeing, 6974, 6976

(3 documents)

Fairchild, 6977

Transition areas, 6978, 6979

(2 documents)

PROPOSED RULES

Airworthiness directives:

Cessna, 6999

Crash-resistant fuel systems, 7280

Hoffman, 7001
McDonnell Douglas, 7002
Piper, 7004, 7005
(2 documents)

Special conditions—

Beech Aircraft Corp. models 400 and 400A airplane;
lightning and radio frequency energy protection,
6996

NOTICES

Airport noise compatibility program:

Noise exposure map—

Fresno Air Terminal, CA, 7077

General Lyman Field, HI, 7078

North Las Vegas Air Terminal, NV, 7078

Federal Communications Commission

RULES

Common carrier services:

Access charges—

Tariff filing schedules, 6989

Federal Crop Insurance Corporation

RULES

Crop insurance regulations:

Insurance policy amendment; coverage subject to
appropriations availability in 1991 and subsequent
crop years, 6971

Federal Deposit Insurance Corporation

NOTICES

Qualified financial contracts, policy statement; availability,
7027

Federal Election Commission

NOTICES

Special education; filing dates:

New York, 7027

Federal Emergency Management Agency

RULES

Flood elevation determinations:

Arkansas et al., 6988

Flood insurance; communities eligible for sale:

Alabama et al., 6987

Missouri et al., 6986

New Jersey et al., 6984

PROPOSED RULES

Flood elevation determinations:

Arizona et al., 7011

NOTICES

Agency information collection activities under OMB review,
7028

(2 documents)

Disaster and emergency areas:

Alabama, 7028

American Samoa, 7029

(2 documents)

Northern Mariana Islands, 7029

Oregon, 7030

Federal Energy Regulatory Commission

NOTICES

Electric rate, small power production, and interlocking
directorship filings, etc.:

Tampa Electric Co. et al., 7023

Applications, hearings, determinations, etc.:

Columbia Gas Transmission Corp., 7026

Koma Kulshan Associates et al., 7026

Northern Natural Gas Co., 7026

Federal Grain Inspection Service

PROPOSED RULES

Grain standards:

Wheat, 6996

Federal Highway Administration

RULES

Motor carrier safety standards:

Rental motor vehicles marking, 6991

Federal Maritime Commission

NOTICES

Complaints filed:

Military Sealift Command, 7030

Freight forwarder licenses:

J.L. Butler Forwarding et al., 7030

Federal Reserve System

NOTICES

Applications, hearings, determinations, etc.:

Long-Term Credit Bank of Japan, Ltd., 7030

Financial Management Service

See Fiscal Service

Fiscal Service

NOTICES

Bonds and notes, U.S. Treasury, outstanding and
unmatured; conversion to TREASURY DIRECT Book-
entry Security System, 7079

Fish and Wildlife Service

NOTICES

Endangered and threatened species permit applications,
7042

Marine mammal permit applications, 7042

Food and Drug Administration

NOTICES

Food additive petitions:

Nippon Synthetic Chemical Industry Co., Ltd., 7032

Medical devices; premarket approval:

Alcon Laboratories, Inc.; Models MT3-MT7 Non-
ultraviolet-absorbing, etc., Anterior Chamber
Intraocular Lenses, 7032

Intraoptics, Inc.; Models SK15 and SK16 Posterior
Chamber Intraocular Lenses, 7033

Forest Service

NOTICES

Environmental statements; availability, etc.:

Angeles National Forest, CA, 7014

General Services Administration

RULES

Federal property management:

Utilization and disposal of personal property—

Property destruction at contractor facilities; witnessing
requirement removed, 6983

NOTICES

Federal Acquisition Regulation (FAR):

Agency information collection activities under OMB
review, 7019, 7020

(2 documents)

Health and Human Services Department

See Centers for Disease Control; Food and Drug Administration; Health Care Financing Administration; Public Health Service

Health Care Financing Administration**NOTICES****Medicaid:**

State plan amendments, reconsideration; hearings—
Louisiana, 7034

Privacy Act:

Systems of records, 7035

Health Resources and Services Administration

See Public Health Service

Interior Department

See also Fish and Wildlife Service; Land Management Bureau

NOTICES

National Environmental Policy Act; implementation, 7038

Internal Revenue Service**RULES****Income taxes:**

Passive activity losses and credits; limitations, 6980

PROPOSED RULES**Income taxes:**

Passive activity losses and credits; limitations; cross reference, 7006

International Trade Administration**NOTICES****Antidumping:**

Natural bristle paint brushes and brush heads from
China, 7016

Tapered roller bearings and parts, finished or unfinished,
from Romania, 7017

Antidumping and countervailing duties:

Administrative review requests, 7015

Meetings:

Importers and Retailers' Textile Advisory Committee,
7018

Management-Labor Textile Advisory Committee, 7018

International Trade Commission**NOTICES****Import investigations:**

Electric power tools, battery cartridges, and battery
chargers, 7043

Insulated security chests, 7044

Interstate Commerce Commission**NOTICES**

Railroad operation, acquisition, construction, etc.:

Minnesota Commercial Railway, Inc., 7044

Justice Department

See also Antitrust Division

NOTICES**Settle agreements:**

FCX, Inc., 7045

Labor Department

See also Occupational Safety and Health Administration;
Pension and Welfare Benefits Administration

NOTICES

Agency information collection activities under OMB review,
7046

Privacy Act:

Systems of records, 7084

Land Management Bureau**NOTICES****Meetings:**

California Desert District Advisory Council, 7040

Realty actions; sales, leases, etc.:

New Mexico, 7040

Oregon, 7040

Wilderness study areas; characteristics, inventories, etc.:

Mineral survey reports—

Utah, 7041

National Aeronautics and Space Administration**NOTICES****Federal Acquisition Regulation (FAR):**

Agency information collection activities under OMB
review, 7019, 7020

(2 documents)

National Archives and Records Administration**NOTICES**

Agency records schedules; availability, 7069

National Communications System**NOTICES****Meetings:**

National Security Telecommunications Advisory
Committee, 7070

National Foundation on the Arts and the Humanities**NOTICES**

Agency information collection activities under OMB review,
7070

National Highway Traffic Safety Administration**RULES****Motor vehicle safety standards:**

Vehicles and equipment importation

Correction, 6994

National Institute for Occupational Safety and Health

See Centers for Disease Control

National Institute of Standards and Technology**NOTICES****Meetings:**

Advanced Technology Visiting Committee, 7019

National Oceanic and Atmospheric Administration**RULES**

Tuna, Atlantic bluefin fisheries, 6994

National Science Foundation**NOTICES****Committees; establishment, renewal, termination, etc.:**

Instrumentation Facilities for Biological and Behavioral
Sciences Advisory Panel, 7070

Postdoctoral Fellowships in Environmental Biology
Advisory Panel, 7071

Meetings:

Physics Advisory Committee, 7071

Science and Technology Centers Development Advisory
Committee, 7071

Navy Department**NOTICES**

Meetings:

Chief of Naval Operations Executive Panel Advisory Committee, 7022

Nuclear Regulatory Commission**NOTICES***Applications, hearings, determinations, etc.:*

Carolina Power & Light Co., 7072
Cintichem, Inc., 7072
Cleveland Electric Illuminating Co. et al., 7073
Kerr-McGee Chemical Corp., 7074
Northeast Nuclear Energy Co., 7074
Union Electric Co., 7074

Nuclear Waste Technical Review Board**NOTICES**

Meetings, 7075

Occupational Safety and Health Administration**NOTICES**

State plans; standards approval, etc.:
Connecticut, 7055

Pension and Welfare Benefits Administration**NOTICES**

Employee benefit plans; prohibited transaction exemptions:
Equitable Life Assurance Society of the United States, 7057

Presidential Documents**EXECUTIVE ORDERS**

Committees; establishment, renewal, termination, etc.:
Interagency Committee on Handicapped Employees
Interagency Committee on Employment of People With Disabilities
President's Committee on the Arts and the Humanities
Advisory Committee on Small and Minority Business Ownership (EO 12704), 6969

Public Health Service

See also Centers for Disease Control; Food and Drug Administration

NOTICES

Privacy Act:
Systems of records, 7035

Railroad Retirement Board**NOTICES**

Railroad Unemployment Insurance Act:
Monthly compensation base and other determinations;
1990 CY; correction, 7075

Resolution Trust Corporation**NOTICES**

Qualified financial contracts; policy statement; availability, 7027

Securities and Exchange Commission**NOTICES**

Applications, hearings, determinations, etc.:
ASAC Corp., 7076

Soil Conservation Service**NOTICES**

Environmental statements; availability, etc.:
Moore, NC, 7015

Textile Agreements Implementation Committee

See Committee for the Implementation of Textile Agreements

Transportation Department

See also Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration

NOTICES

Meetings:

President's Commission on Aviation Security and Terrorism, 7077

Treasury Department

See also Fiscal Service; Internal Revenue Service

NOTICES

Agency information collection activities under OMB review, 7079

Veterans Affairs Department**RULES**

Loan guaranty:

Guaranteed manufactured home loans, home and condominium loans, and home improvement loans; maximum interest rates increased, 6982

Separate Parts in This Issue**Part II**

Department of Labor, Office of the Secretary, 7084

Part III

Environmental Protection Agency, 7178

Part IV

Environmental Protection Agency, 7202

Part V

Department of Transportation, Federal Aviation Administration, 7280

Reader Aids

Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR**Executive Orders:**

11830 (Amended by EO 12704).....	6969
12367 (Amended by EO 12704).....	6969
12692 (Amended by EO 12704).....	6969
12704.....	6969

7 CFR

401.....	6971
1250.....	6972

Proposed Rules:

810.....	6996
----------	------

14 CFR

39 (4 documents).....	6974, 6977
71 (2 documents).....	6978, 6979

Proposed Rules:

21.....	6996
23.....	7280
25.....	6996
39 (5 documents).....	6999, 7005

26 CFR

1.....	6980
--------	------

Proposed Rules:

1.....	7006
--------	------

32 CFR**Proposed Rules:**

199.....	7006
----------	------

34 CFR

201.....	6981
----------	------

38 CFR

36.....	6982
---------	------

40 CFR

86.....	7178
---------	------

41 CFR

101-45.....	6983
-------------	------

44 CFR

64 (2 documents).....	6984, 6986
65.....	6987
67.....	6988

Proposed Rules:

67.....	7011
---------	------

47 CFR

69.....	6989
---------	------

49 CFR

390.....	6991
591.....	6994

50 CFR

285.....	6994
----------	------

Presidential Documents

Title 3—**Executive Order 12704 of February 26, 1990****The President****Amendments to Executive Orders Nos. 11830, 12367, and 12692**

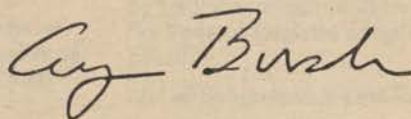
By the authority vested in me as President by the Constitution and laws of the United States of America, including the Rehabilitation Act of 1973, as amended (29 U.S.C. 701 *et seq.*), the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and the Small Business Act, as amended (15 U.S.C. 631 *et seq.*), and to reflect developments in connection with Executive Orders Nos. 11830, 12367, and 12692, it is hereby ordered as follows:

Section 1. Amendments to Executive Order No. 11830, as amended, "Enlarging the Membership of the Interagency Committee on Handicapped Employees." Section 1, subsection (11) of Executive Order No. 11830, as amended, is revised to read "Chairman of the President's Committee on Employment of People with Disabilities (Ex Officio)." A new section 2 shall be added to Executive Order No. 11830, as amended, which shall read as follows: "**Sec. 2.** The Interagency Committee on Handicapped Employees shall also be referred to as the Interagency Committee on Employment of People with Disabilities."

Sec. 2. Amendment to Executive Order No. 12367, as amended, "President's Committee on the Arts and the Humanities." Section 3(b) of Executive Order No. 12367, as amended, is revised to read as follows: "Any administrative support or other expenses of the Committee shall be paid, to the extent permitted by law, from funds available to the National Endowment for the Arts and the National Endowment for the Humanities, as determined by the agreement of those agencies."

Sec. 3. Amendment to Executive Order No. 12692, "Continuance of Certain Federal Advisory Committees." Section 1(a) of Executive Order No. 12692, which continues until September 30, 1991, the Advisory Committee on Small and Minority Business Ownership, is hereby revoked. The remaining sections 1(b) through 1(k) are relettered sections 1(a) through 1(j).

THE WHITE HOUSE,
February 26, 1990.



Rules and Regulations

Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 401

[Amdt. No. 58; Dec. No. 7867S]

General Crop Insurance Regulations

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Interim rule.

SUMMARY: The Federal Crop Insurance Corporation (FCIC) hereby amends the General Crop Insurance Regulations (7 CFR part 401), effective for the 1991 and succeeding crop years, by adding a mandatory amendment to the General Crop Insurance Policy. The intended effect of this rule is to provide that, notwithstanding the terms of the crop insurance policy and any contract for crop insurance, coverage under the terms of such endorsements will be effective subject to the availability of appropriations for the 1991 and subsequent crop years.

DATES: This interim rule is effective on February 28, 1990. Written comments, data, and opinions on this interim rule must be submitted not later than April 30, 1990, to be sure of consideration.

ADDRESSES: Written comments on this proposed rule should be sent to Peter F. Cole, Office of the Manager, Federal Crop Insurance Corporation, Room 4090, South Building, U.S. Department of Agriculture, Washington, DC, 20250.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, DC, 20250; telephone (202) 447-3325.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established by Departmental Regulation 1512-1. This action does not constitute a review as to the need,

currency, clarity, and effectiveness of the regulations affected by this rule under those procedures. The sunset review date established for those regulations is contained in each regulation.

John Marshall, Manager, FCIC, (1) Has determined that this action is not a major rule as defined by Executive Order 12291 because it will not result in: (a) An annual effect on the economy of \$100 million or more; (b) major increases in costs or prices for consumers, individual industries, federal, State, or local governments, or a geographical region; or (c) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets; and (2) certifies that this action will not increase the federal paperwork burden for individuals, small businesses, and other persons and will not have a significant economic impact on a substantial number of small entities.

This action is exempt from the provisions of the Regulatory Flexibility Act; therefore, no Regulatory Flexibility Analysis was prepared.

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.450.

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115, June 24, 1983.

This action is not expected to have any significant impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

FCIC herewith amends the General Crop Insurance Regulations (7 CFR part 401) to provide a mandatory amendment to the provisions for coverage therein to provide that, notwithstanding the terms of the General Crop Policy, coverage will be effective subject to the availability of appropriations for the 1991 and subsequent crop years.

The President's budget for 1991 provides for the elimination of the Federal Crop Insurance program by not funding the program for the 1991 crop year. In view of the uncertainty of

Congressional action on that budget proposal, FCIC believes it is necessary to publish a rule requiring an endorsement on all policies restating the general rule that public programs are subject to the availability of funds, so as to put all parties on notice that insurance coverage may not be available for the 1991 crop year. Equitable principles dictate that all parties concerned be aware of the uncertainty of insurance for the 1991 crop year.

Since Texas Citrus Tree insurance requires that contract changes be on file by February 28, an emergency situation exists requiring that this rule be published, effective in less than 30 days without prior notice and comment.

This rule is effective on February 28, 1990. FCIC is soliciting public comment on this proposed rule for 60 days following publication in the *Federal Register*. Written comment should be sent to Peter F. Cole, Office of the Manager, Federal Crop Insurance Corporation, Room 4090, South Building, U.S. Department of Agriculture, Washington, DC 20250.

All written comments received pursuant to this proposed rule will be available for public inspection and copying in the Office of the Manager, Federal Crop Insurance Corporation, Room 4090, South Building, U.S. Department of Agriculture, Washington, DC 20250, during regular business hours, Monday through Friday.

This rule will be scheduled for review so that any amendment made necessary by public comment will be published in the *Federal Register* as quickly as possible.

List of Subjects in 7 CFR Part 401

Crop insurance.

Interim Rule

Accordingly, pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), the Federal Crop Insurance Corporation hereby amends the provisions of the General Crop Insurance Regulations (7 CFR Part 401), effective for the 1990 and succeeding crop years on any existing carryover contract or new contract for the 1991 crop year, by adding a mandatory amendment to the provisions for coverage therein, effective for the 1991 and succeeding crop years, as follows:

PART 401—[AMENDED]

1. The authority citation for 7 CFR part 401 continues to read as follows:

Authority: 7 U.S.C. 1506, 1516.

2. 7 CFR 401.8 of the General Crop Insurance Regulations is amended by adding a new paragraph (e) at the end thereof to read as follows:

§ 401.8 The application and policy.

(e) Notwithstanding the terms of the crop insurance endorsement and any contract for crop insurance under the provisions of this part, coverage under the terms of such crop insurance endorsement will be effective subject to the availability of appropriations.

Done in Washington, DC on February 21, 1990.

John Marshall,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 90-4725 Filed 2-27-90; 8:45 am]

BILLING CODE 3410-08-M

Agricultural Marketing Service

7 CFR Part 1250

[Docket No. PY-90-002]

Egg Research and Promotion Order Amendment

AGENCY: Agricultural Marketing Service.

ACTION: Final rule.

SUMMARY: This rule amends the Egg Research and Promotion Order to exempt certain producers from the provisions of the Egg Research and Consumer Information Act. The rule also makes conforming amendments to regulations. The changes are required by an amendment to the Egg Research and Consumer Information Act, which became effective December 12, 1989.

EFFECTIVE DATE: March 1, 1990.

FOR FURTHER INFORMATION CONTACT:

Janice L. Lockard, 202-447-3506.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This final rule has been reviewed in accordance with Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be non-major because it does not meet the criteria contained therein. It will not result in an annual effect on the economy of \$100 million or more or in a major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions. It also will not have a significant impact on

competition, employment, investment, productivity, innovation, or in the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Effect on Small Entities

The Administrator of the Agricultural Marketing Service has determined that this rule will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*).

This action eliminates all of the regulatory requirements of the Egg Research and Consumer Information Act (Act) on a major share of the egg producers currently subject to those requirements and who certify their eligibility for the statutory exemption, and substantially reduces the regulatory burden on handlers as well. This action exempts an estimated 653 small egg producers, who own 30,000 or fewer laying hens, from requirements of the egg research and promotion program. These producers will no longer be required to pay the assessment of 5 cents per 30-dozen case of commercial eggs. The 653 producers represent approximately 36 percent of the total number of egg producers currently subject to assessments. In addition, an estimated 353 of these producers who also handle eggs of their own production will no longer be required to file monthly handler reports. Further, any other handler who handles eggs only from exempt flocks will no longer be required to file monthly handler reports or collect assessments.

Under the authority of the Act and the Egg Research and Promotion Order (Order), approximately 1,815 producers are paying assessments to the AEB at the rate of 5 cents per 30-dozen case of commercial eggs marketed or the equivalent thereof. Currently exempted from the payment of assessments are producers who aggregate number of laying hens does not exceed 3,000. Under this rule, those producers whose aggregate number of laying hens at any time during a 3-consecutive-month period immediately prior to the date assessments are due and payable has not exceeded 30,000 hens are exempt from the provisions of the Act.

This action will exempt at least 653 producers from the regulatory provisions of the Act and Order under conditions prescribed by the Secretary and will more closely reflect the declining share by these producers in total U.S. egg production. According to statistics of AEB, for example, income from assessments paid by these producers on their production represents only about 4

percent of the total \$7.2 million collected annually.

There are an estimated 665 handlers under the program. Handlers who handle production other than their own will no longer be required to file reports or collect assessments on production from 30,000 or fewer laying hens.

There is no change in the exemption for any producer owning a flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks.

Paperwork Reduction

In accordance with the Paperwork Reduction Act of 1980 [44 U.S.C. chapter 35], the information collection and recordkeeping requirements that appear in part 1250 have been previously approved by the Office of Management and Budget under OMB Control No. 0581-0098. This rule will reduce, by approximately more than half, the number of collecting handlers who will be required to file any handler reports on a monthly basis. Currently, there are approximately 665 collecting handlers under the research and promotion program. It is estimated that 353 of these handlers will not be required to file monthly handler reports. In addition, those handlers who may handle some exempted production will not have to include the exempted production in their monthly handler reports. The 653 small egg producers who own 30,000 or fewer laying hens will be required to file, through their handlers, an annual certification of exemption.

Background

The Egg Research and Promotion Order in § 1250.347 (7 CFR 1250.347) currently provides that the following are to be exempt from paying assessments: "(a) Any egg producer whose aggregate number of laying hens at any time during a 3-consecutive-month period immediately prior to the date assessments are due and payable has not exceeded 3,000 laying hens, and (b) any producer owning a flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks." Section 12 of the Act (7 U.S.C. 2711) was amended effective December 12, 1989 (Pub. L. 101-220), to exempt certain producers from the provisions of the Act under such conditions and procedures as may be prescribed by the Secretary in the Order or rules and regulations issued thereunder.

Public Law 101-220 exempts those producers whose aggregate number of laying hens at any time during a 3-consecutive-month period immediately

prior to the date assessments are due and payable has not exceeded 30,000 laying hens. Also exempted is any producer owning a flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks.

According to statistics of AEB, 653 producers owning 30,000 or fewer laying hens currently pay mandatory assessments at 5 cents per 30-dozen case of commercial eggs or the equivalent thereof, to finance research, promotion, and education activities. Although producers in this category represent 36 percent of the total producers covered by the Act, they represent only 4 percent of the total assessment income collected by AEB. Exempting producers owning 30,000 or fewer laying hens, therefore, will exempt a number of smaller producers without adversely impacting the capability of AEB to carry out the programs authorized under the Act.

The amendment to the Act further delineates the various commercial relationships existing in the egg production industry which are to be considered in identifying exempted producers. This includes recognition of individuals, partnerships, beneficial interests in corporations, beneficiaries of trusts, joint stock companies, associations, cooperatives, limited partnerships, or other similar entities.

Therefore, in order to carry out the provisions of the Act, a new § 1250.348 is added to the Order to delineate those producers who shall be exempt from the provisions of the Act in accordance with Public Law 101-220. This section includes a condition that those producers claiming such exemption certify their status in accordance with § 1250.530 of the regulations as amended herein. Also, a conforming change is made to § 1250.202(a) of the procedure for the conduct of referenda, removing the reference to § 1250.347 and adding in its place § 1250.348.

Public Law 101-220 provides that the amendments to the Order shall be issued after public notice and opportunity for comment in accordance with 5 U.S.C. 553 and without regard to 5 U.S.C. 556 and 557 and shall not be subject to a referendum.

A proposed rule recommending the changes described above was published in the *Federal Register* on January 30, 1990 (55 FR 3064). Comments were solicited from interested parties through February 9, 1990. Two comments were received, both of which were in support of the change in the exemption level. One comment from a producer cooperative pointed out that the change was an appropriate and timely adjustment which reflects the current structure of the industry. A second

comment from a farm organization stated that the assessment burden would be eliminated for a sector of the egg industry which provides only 4 percent of the total assessment income paid to AEB.

After consideration of all relevant matters, including the proposal set forth in the notice of proposed rulemaking, it is found that the amendments hereinafter set forth will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is further found that good cause exists for not postponing the effective date of this action until 30 days after publication in the *Federal Register* because: (1) The provisions of this final rule are the same as those published on January 30, 1990; (2) Public Law 101-220 provides that the Secretary issue an amendment to the Egg Research and Promotion Order after public notice and opportunity for comment, to be effective no later than March 1, 1990; (3) interested persons were afforded a 10-day comment period to submit written comments—two supporting comments were received; and (4) this action will relieve approximately 300 producers and 353 producer/handlers from the regulatory provisions of the Act and Order under conditions prescribed by the Secretary.

List of Subjects in 7 CFR Part 1250

Administrative practice and procedure, Advertising, Agricultural research, Eggs, Reporting and recordkeeping requirements.

For reasons set forth in the preamble and under authority contained in the Egg Research and Consumer Information Act, as amended, title 7, CFR part 1250, is hereby amended as follows:

PART 1250—EGG RESEARCH AND PROMOTION

1. The authority citation for 7 CFR part 1250 continues to read as follows:

Authority: Pub. L. 93-428, 88 Stat. 1171, as amended; 7 U.S.C. 2701-2718.

§ 1250.202 [Amended]

2. Section 1250.202(a) is amended to remove the reference to § 1250.347 and add in its place "§ 1250.348."

3. Section 1250.347 is revised to read as follows:

§ 1250.347 Assessments.

Each handler designated in § 1250.349 and pursuant to regulations issued by the Board shall collect from each producer, except for those producers specifically exempted in § 1250.348, and shall pay to the Board at such times and in such manner as prescribed by regulations issued by the Board an

assessment at the rate of 5 cents per 30-dozen case of eggs, or the equivalent thereof, or such lesser amount set by the Board and approved by the Secretary for such expenses and expenditures, including provisions for a reasonable reserve and those administrative costs incurred by the Department of Agriculture after this subpart is effective, as the Secretary finds are reasonable and likely to be incurred by the Board and the Secretary under this subpart, except that no more than one such assessment shall be made on any case of eggs.

§§ 1250.348-1250.353 [Redesignated as §§ 1250.349-1250.354]

4. Sections 1250.348 through 1250.353 are redesignated as §§ 1250.349 through 1250.354 and a new § 1250.348 is added to read as follows:

§ 1250.348 Exemptions.

The following shall be exempt from the specific provisions of the Act:

(a) Any egg producer whose aggregate number of laying hens at any time during a 3-consecutive-month period immediately prior to the date assessments are due and payable has not exceeded 30,000 laying hens. The aggregate number of laying hens owned by a trust or similar entity shall be considered ownership by the beneficiaries of the trust or other entity. Ownership of laying hens by an egg producer also shall include the following:

(1) In cases in which the producer is an individual, laying hens owned by such producer or members of such producer's family that are effectively under the control of such producer, as determined by the Secretary;

(2) In cases in which the producer is a general partnership or similar entity, laying hens owned by the entity and all partners or equity participants in the entity; and

(3) In cases in which the producer holds 50 percent or more of the stock or other beneficial interest in a corporation, joint stock company, association, cooperative, limited partnership, or other similar entity, laying hens owned by the entity. Stock or other beneficial interest in an entity that is held by the following shall be considered as held by the producer:

(i) Members of the producer's family described in paragraph (a)(1);

(ii) A general partnership or similar entity in which the producer is a partner or equity participant;

(iii) The partners or equity participants in an entity of the type described in (a)(3)(ii); or

(iv) A corporation, joint stock company, association, cooperative,

limited partnership, or other similar entity in which the producer holds 50 percent or more of the stock or other beneficial interests.

(b) Any egg producer owning a flock of breeding hens whose production of eggs is primarily utilized for the hatching of baby chicks.

(c) In order to qualify for exemption from the provisions of the Act under this section, producers claiming such exemption must comply with § 1250.530 regarding certification of exempt producers and other such regulations as may be prescribed by the Secretary as a condition to exemption from the provisions of the Act under this section.

4. Section 1250.514 is revised to read as follows:

§ 1250.514 Levy of assessments.

An assessment of 5 cents per case of commercial eggs is levied on each case of commercial eggs handled for the account of each producer. Each case of commercial eggs shall be subject to assessment only once. Producers meeting the requirements of § 1250.348 are exempt from the provisions of the Act including this section.

5. Section 1250.530 is revised to read as follows:

§ 1250.530 Certification of exempt producers.

Egg producers not subject to the provisions of the Act pursuant to section 1250.348 shall file with all handlers to whom they sell eggs a statement certifying their exemption from the provisions of the Act in accordance with the criterion of section 1250.348. Certification shall be made on forms approved and provided by the Egg Board to collecting handlers for use by exempt producers. The certification form shall be filed with each handler within 10 days after the first sale of eggs to such handler after March 1, 1990, and annually thereafter on or before January 1 as long as the producer continues to do business with the handler. A copy of the certificate of exemption shall be forwarded to the Egg Board by the handler within 30 days of receipt. The certification shall list the following:

(a) The name and address of the producer;

(b) Basis for producer exemption according to the requirements of § 1250.348; and

(c) The signature of the producer.

If the exempt producer becomes subject to the provisions of the Act pursuant to the requirements of section 1250.348, that producer shall notify, within 10 days, all handlers with whom he has filed a certificate of exemption.

Done at Washington, DC, on February 22, 1990.

Daniel Haley,

Administrator.

[FR Doc. 90-4521 Filed 2-27-90; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90-NM-11-AD; Amdt. 39-6518]

Airworthiness Directives; Boeing Model 737 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Boeing Model 737 series airplanes, which requires a revision to the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) which requires a qualified ground observer to monitor subsequent starts following an unsuccessful Auxiliary Power Unit (APU) start. This amendment is prompted by several incidents where airplanes experienced significant fire damage due to APU "torching" following an unsuccessful first start attempt. This condition, if not corrected, could result in fire damage to the empennage following an unsuccessful start attempt.

EFFECTIVE DATE: March 12, 1990.

FOR FURTHER INFORMATION CONTACT:

Mr. Stephen Bray, Propulsion Branch, ANM-140S; telephone (206) 431-1969. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: On January 22, 1990, an operator of a Boeing Model 737 series airplane experienced significant fire damage to the empennage. The damaged area was reported to be the elevator, trim tab, and tail cone. This damage was due to Auxiliary Power Unit (APU) torching following an unsuccessful first start attempt.

A previous incident occurred on March 17, 1989. Empennage damage similar to that of the most recent incident was reported, and was attributed to improper installation and/or maintenance practices. Subsequent to that incident, the FAA issued Airworthiness Directive (AD) 89-08-11, Amendment 39-6190 (54 FR 14639), on March 31, 1989, which requires

repetitive inspections of the APU drain lines on all Model 737 series airplanes to detect clogged drains, and cleaning of the drains, if necessary. The January 22, 1990, incident indicates that the action required by AD 89-08-11 is apparently inadequate to preclude empennage fire damage due to APU torching following an unsuccessful start attempt. Therefore, the FAA has determined that additional precautions are necessary.

Since this situation is likely to exist or develop on other airplanes of the same type design, this AD requires a revision to the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to require either (1) after an unsuccessful APU ground start, the installation of a placard to prohibit APU ground starting; or (2) a qualified ground observer to monitor the subsequent start attempt(s) in order to assure that normal starts are achieved following an unsuccessful APU start. If APU tail pipe torching is observed, the affected airplane surface(s) must then be inspected for damage prior to flight.

This is considered interim action until a corrective design modification is designed, approved, and available, at which time the FAA will consider further rulemaking action.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final

regulatory evaluation will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Applies to Model 737 series airplanes, certificated in any category. Compliance required within 10 days after the effective date of this AD, unless previously accomplished.

To preclude the possibility of empennage damage due to APU torching after an unsuccessful start attempt, accomplish the following:

A. Revise the limitation section of the FAA-Approved Airplane Flight Manual (AFM) by adding the following instructions. This may be accomplished by inserting a copy of this AD into the AFM.

"AUXILIARY POWER UNIT LIMITATION:
After any unsuccessful APU ground start, either placard the APU "NO GROUND STARTING" or accomplish the following during the subsequent ground start attempt(s):

1. Following an unsuccessful APU start attempt, the subsequent APU ground start attempt(s) must be monitored by a qualified ground observer to assure proper APU starting. The qualified ground observer, procedures used to comply with this requirement, and method of documentation of compliance with these procedures must be approved by the FAA Principal Maintenance Inspector (PMI). If APU tail pipe torching is observed, prior to flight, inspect the affected airplane surface(s) for fire damage and/or paint blistering. Repair or replace fire-damaged area(s) in accordance with the Model 737 Structural Repair Manual prior to further flight.

2. Following APU operation, if unsuccessful APU ground starts are again experienced, the ground start monitoring requirements required by paragraph A.1., above, must be repeated.

3. The placard may be removed and APU ground starting resumed following appropriate maintenance action to determine

and resolve the cause of the unsuccessful ground start, or successful ground or inflight starting and operation is accomplished.

Note: In-flight starting and operating of the APU is not impacted by this action."

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

Note: The request should be forwarded through an FAA Principal Maintenance Inspector (PMI), who will either concur or comment, and then send it to the Manager, Seattle Aircraft Certification Office.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

This amendment becomes effective March 12, 1990.

Issued in Seattle, Washington, on February 14, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 90-4479 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 89-NM-166-AD; Amdt. 39-6516]

Airworthiness Directives; Boeing Model 767 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Boeing Model 767 series airplanes equipped with Kidde engine fire and overheat detection systems, which requires modifications that improve system reliability. This amendment is prompted by numerous instances of false fire and overheat warnings that have resulted in engine in-flight shutdowns and airplane diversions. This condition, if not corrected, could result in unnecessary engine in-flight shutdowns and airplane diversions that unduly jeopardize continued safe operation of the airplane.

DATES: Effective March 27, 1990.

ADDRESSES: The applicable service information may be obtained from Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or Seattle Aircraft

Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Steven P. Clark, Propulsion Branch, ANM-140S; telephone (206) 431-1963. Mailing address: FAA Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive, applicable to certain Boeing Model 767 series airplanes equipped with Kidde engine fire and overheat detection systems, which requires modifications that improve system reliability, was published in the *Federal Register* on September 15, 1989 (54 FR 38243).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the two comments received.

One commenter agreed with the proposed rule.

The other commenter reported that it has accomplished the proposed modifications on the engines in its fleet and is still experiencing a number of false warnings. This commenter attributes the cause to broken fire detector connector terminal lugs and has advised Boeing and Kidde of this finding. This commenter, therefore, requested that the compliance period be increased from 6 months as proposed to 18 months after the effective date of the AD, so that the applicable service bulletin can be revised to include a new design which would preclude such failures and any additional materials can be purchased.

The FAA does not concur with the suggestion to increase the compliance time. The FAA has confirmed that there have been 10 failures of the new fire detector connector wire lug; however, the FAA has determined that those failures were caused by improper connector installation. Four of the failures occurred on one particular engine and fire detector location, which also had a faulty fire detector support bracket. The referenced Boeing service bulletin is being revised to clarify the instructions for the correct installation of the terminal lug fire/overheat detectors. However, the wire lug failure mechanism is distinctly different from the hermetic pin connector corrosion problem that resulted in the numerous false fire warnings that prompted this AD action. A broken terminal wire lug is readily detectable by the Model 767 engine fire/overheat detection system

and will not result in a false indication of an engine fire or overheat condition. The flightcrew is alerted to such a failure by a fire detector loop fail message on the Engine Indication and Crew Alerting System (EICAS) display. In addition, the FAA has received no reports of false fire or overheat warnings on engines with the terminal lug connectors installed. Therefore, the terminal lug design fire/overheat detector called out in the Notice is still considered appropriate to correct the unsafe condition, and the FAA finds no cause to increase the compliance period beyond the 6 months specified in the proposal.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

There are approximately 75 Model 767 series airplanes of the affected design in the worldwide fleet. It is estimated that 12 airplanes of U.S. registry will be affected by this AD, that it will take approximately 70 manhours per airplane to accomplish the required actions, and that the average labor cost will be \$40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$33,600.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and is contained in the regulatory docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration

amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) [Revised Pub. L. 97-449, January 12, 1983]; and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Applies to Model 767 series airplanes equipped with Kidde engine fire and overheat detection systems, as listed in Boeing Service Bulletin 767-26-0037, Revision 1, dated June 1, 1989, certificated in any category. Compliance required within 6 months after the effective date of the AD, unless previously accomplished.

To prevent false engine fire and overheat warnings, which could result in unnecessary engine in-flight shutdowns and airplane diversions that unduly jeopardize continued safe operation of the airplane, accomplish the following:

A. Modify the engine fire and overheat detection system on each engine in accordance with Boeing Service Bulletin 767-26-0037, Revision 1, dated June 1, 1989.

B. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

Note: The request should be forwarded through an FAA Principal Maintenance Inspector (PMI), who will either concur or comment and then send it to the Manager, Seattle Aircraft Certification Office.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective March 27, 1990.

Issued in Seattle, Washington, on February 9, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-4476 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 89-NM-236-AD; Amdt. 39-6520]

Airworthiness Directives; Boeing of Canada, Ltd., de Havilland Division, Model DHC-8-300 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain de Havilland Model DHC-8-300 Series Airplanes, Serial Numbers 100 through 231, inclusive, which requires repetitive visual inspections to detect cracks and/or complete separation of the three bleed air precooler mounting lugs, and repair, if necessary. This amendment is prompted by reports of cracking and complete separation of engine bleed air precooler mounting lugs. This condition, if not corrected, could result in loss of support of the engine bleed air precooler and possible rupture of the engine bleed air ducts.

DATES: Effective April 6, 1990.

ADDRESSES: The applicable service information may be obtained from Boeing of Canada, Ltd., de Havilland Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or at the FAA, New England Region, 181 South Franklin Avenue, Room 202, Valley Stream, New York.

FOR FURTHER INFORMATION CONTACT: Mr. Jon Hjelm, Airframe Branch, ANE-172; telephone (516) 791-6220. Mailing address: FAA, New England Region, New York Aircraft Certification Office, 181 South Franklin Avenue, Room 202, Valley Stream, New York 11581.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include a new airworthiness directive, applicable to certain de Havilland Model DHC-8-300 series airplanes, Serial Numbers 100 through 231, inclusive, which requires repetitive visual inspections to detect

cracks and/or complete separation of the three bleed air precooler mounting lugs, and repair, if necessary, was published in the *Federal Register* on December 15, 1989 (54 FR 51411).

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received in response to the proposal.

Since the issuance of the Notice, de Havilland has issued Revision A to Service Bulletin A8-21-32, dated November 22, 1989, which clarified the information in the accomplishment instructions, and revised the time to accomplish the inspection from one-half manhour to one manhour. The final rule has been revised to cite the latest revision of the de Havilland service bulletin as the appropriate service information for procedures relating to modifications required by this AD. The economic impact analysis paragraph has been revised to indicate that one manhour is necessary to accomplish the required action.

After careful review of available data, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes noted above. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

This is considered to be interim action. The manufacturer is currently developing a modification to terminate the need for the repetitive inspections. Once this modification is developed, the FAA may consider further rulemaking action to revise this AD to require additional necessary action.

It is estimated that 3 airplanes of U.S. registry will be affected by this AD, that it will take approximately one manhour per airplane to accomplish the required actions, and that the average labor cost will be \$40 per manhour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$120.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44

FR 11034; February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and is contained in the regulatory docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing of Canada, Ltd., De Havilland

Division: Applies to de Havilland Model DHC-8-300 series airplanes, Serial Numbers 100 through 231, inclusive, certificated in any category. Compliance is required as indicated, unless previously accomplished.

To prevent possible rupture of the engine bleed air ducts, accomplish the following:

A. Within the next 50 hours time-in-service after the effective date of this AD, and thereafter at intervals not to exceed 50 hours time-in-service, perform a visual inspection to detect cracks or complete separation of the bleed air precooler mounting lugs, in accordance with de Havilland Alert Service Bulletin A8-21-32, Revision A, dated November 22, 1989.

B. If cracks are found in more than one lug, or if any lug has completely separated, repair prior to further flight, in accordance with de Havilland Alert Service Bulletin A8-21-32, Revision A, dated November 22, 1989.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

Note.—The request should be forwarded through an FAA Principal Maintenance Inspector (PMI), who will either concur or comment and then send it to the Manager, Standardization Branch, ANM-113.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Boeing of Canada, Ltd., de Havilland Division, Garratt Boulevard, Downsview, Ontario M3K 1Y5, Canada. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or at the FAA, New England Region, New York Aircraft Certification Office, 181 South Franklin Avenue, Room 202, Valley Stream, New York 11581.

This Amendment becomes effective April 6, 1990.

Issued in Seattle, Washington, on February 20, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-4480 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 89-CE-32-AD; Amendment 39-6519]

Airworthiness Directives; Fairchild (Swearingen) Models SA226-T, SA226-T(B), SA226-AT, SA226-TC, SA227-TT, SA227-AT, and SA227-AC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) which requires inspection and rework as necessary of the main landing gear door to nacelle skin gap to assure proper clearance on certain Fairchild SA226 and SA227 series airplanes. The AD is prompted by several wheels-up landings caused by the main landing gear doors jamming against the nacelle which prevents extension of the main landing gear. The action required by this AD will correct this unsafe condition.

EFFECTIVE DATE: April 3, 1990.

Compliance: Required within the next 250 hours time-in-service after the effective date of this AD, unless already accomplished.

ADDRESSES: Fairchild Service Bulletins SA226-32-055 and SA227-32-027, both dated December 8, 1988, may be obtained from the Fairchild Aircraft Corporation, P.O. Box 790490, San Antonio, Texas 78279-0490, or may be examined at the FAA, Central Region Office of the Assistant Chief Counsel,

Room 1557, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT:

Sam Lovell, Airplane Certification Office, FAA, Fort Worth, Texas 76193-0150; Telephone (817) 624-5159.

SUPPLEMENTARY INFORMATION:

A proposal to amend part 39 of the Federal Aviation Regulations to include an AD requiring inspection and rework as necessary of the main landing gear door to nacelle skin gap to assure proper clearance on Fairchild Aircraft Corporation Models SA226-T, SA226-T(B), SA226-AT, SA226-TC, SA227-TT, SA227-AT, and SA227-AC airplanes was published in the *Federal Register* on December 1, 1989 (54 FR 49771). The proposal was prompted by several wheels-up landings caused by the main landing gear doors jamming against the nacelle which prevents extension of the main landing gear. Several accidents have occurred in which the main landing gear would not extend and the airplane was forced to land "wheels up." Five of the accidents were attributed to this jamming condition.

Since the FAA determined that the condition described is likely to exist or develop in other Fairchild SA226 and SA227 series airplanes of the same design, an AD was proposed which would require visual inspection and adjustment of the landing gear door to nacelle skin gap in accordance with Fairchild Service Bulletins 226-32-055 and 227-32-027, as applicable.

Interested persons have been afforded an opportunity to comment on the proposal. Comments were received from one commenter. The commenter stated that Fairchild was developing a retrofittable fix that is superior to the one that the AD would use. The FAA agrees that if Fairchild develops such a retrofittable fix, then an alternate means of compliance may be granted or the AD revised to require the new fix.

The commenter also stated that the ending serial number (S/N) effectivity for the Model SA227-TT airplanes should be S/N TT541, and for the Model SA227-AC airplanes, S/N AC729. The FAA concurs. The AD will be changed to include these two corrections.

In accordance with the preceding discussion, the proposal is adopted with the above changes to the ending S/N effectivity for Models SA227-TT and SA227-AC airplanes.

The FAA has determined there are approximately 656 airplanes affected by the proposed AD. The cost of the inspections and adjustments specified in the proposed AD is estimated to be \$300 per airplane. The total cost is estimated to be \$196,800. The cost of compliance

with the proposed AD is so small that the expense of compliance will not have significant financial impact on any small entities operating these airplanes.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Therefore, in accordance with Executive Order 12612, it is determined that this final rule does have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new AD:

Fairchild (Swearingen): Applies to Models SA226-T (S/N T201 through T275, and T277 through T291), SA226-T(B) (S/N T(B)276 and T(B)292 through T(B)417), SA226-AT (S/N AT001 through AT074), SA226-TC (S/N TC201 through TC419), SA227-TT (S/N TT421 through TT541), SA227-AT (S/N AT421B, AT423 through AT631B, and AT695B), SA227-AC (S/N AC406, AC415, AC416, and AC420 through AC729) airplanes certificated in any category.

Compliance: Required within the next 250 hours' time-in-service after the effective date

of this AD, unless already accomplished. To prevent the main landing gear doors from jamming against the nacelle skin and preventing the extension of the landing gear, accomplish the following:

(a) Visually inspect the gap between the main landing gear doors and the adjacent nacelle skins to insure a clearance of 0.38 + .03 inches in accordance with the instructions specified in Fairchild Service Bulletin (S/B) SA226-32-055 and (S/B) SA227-32-027, both dated December 8, 1988, as applicable. If rework of the door(s) is required to obtain the specified clearance, prior to further flight, accomplish the task in accordance with the instructions in the above applicable S/B.

(b) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(c) An alternate method of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office, Federal Aviation Administration, Department of Transportation, Fort Worth, Texas 76193-0150.

Note: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth Airplane Certification Office.

All persons affected by this directive may obtain copies of the documents referred to herein upon request to the Fairchild Aircraft Corporation, P.O. Box 790490, San Antonio, Texas 78279-0490, or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 6701 East 12th St., Kansas City, Missouri 64106.

This amendment becomes effective on April 3, 1990.

Issued in Kansas City, Missouri, on February 14, 1990.

Barry D. Clements,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-4481 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 90-AGL-1]

Transition Area Alteration; Elkhart, IN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this action is to reflect the name change of a navigational facility currently contained in the Elkhart, IN, transition area description. The published description presently makes reference to the "South Bend, IN VORTAC." Effective May 3,

1990, the South Bend (SBN) IN, VORTAC name and identifier will change to Giper (GIJ) VORTAC, and will require modification to the existing published description for Elkhart, IN. This action only involves the facility name change.

EFFECTIVE DATE: 0901 U.L.C., May 3, 1990.

FOR FURTHER INFORMATION CONTACT:

Henry D. French, Air Traffic Division, System Management Branch, AGL-530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7477.

The Rule

This amendment to part 71 of the Federal Aviation Regulations will alter the Elkhart, IN, transition area by changing the VORTAC facility name from "South Bend, IN, VORTAC" to "Giper VORTAC" where it appears in the transition area description.

This alteration will affect only the published description and will cause no change to aeronautical operations as currently conducted or to the general configuration of the airspace. Aeronautical maps and charts will reflect the name change. I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor amendment in which the public would not be particularly interested. Section 71.181 of part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6E dated January 3, 1989.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal

Aviation Regulations (14 CFR part 71) is amended as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Elkhart, IN [Amended]

Replace the words "South Bend, IN, VORTAC" with "Giper VORTAC".

Issued in Des Plaines, IL, on February 13, 1990.

Teddy W. Burcham,

Manager, Air Traffic Division.

[FR Doc. 90-4483 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 89-ASW-38]

Revision of Transition Area; Clovis, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will revise the transition area located at Clovis, NM. The development of a new standard instrument approach procedure (SIAP) to the new Portales Municipal Airport, utilizing the relocated Portales Nondirectional Radio Beacon (NDB), has made this amendment necessary. The intended effect of this amendment is to provide adequate controlled airspace for aircraft executing the new SIAP to the new Portales Municipal Airport. Coincident with this amendment will be the changing of the status of the new Portales Municipal Airport from visual flight rules (VFR) to instrument flight rules (IFR).

EFFECTIVE DATE: 0901 u.l.c., May 3, 1990.

FOR FURTHER INFORMATION CONTACT:

Bruce C. Beard, System Management Branch, Air Traffic Division, Southwest Region, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone (817) 624-5561.

SUPPLEMENTARY INFORMATION:
History

On October 16, 1989, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the transition area located at Clovis, NM (54 FR 43971).

Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is that proposed in the notice. Section 17.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6E, dated January 3, 1989.

The Rule

This amendment to part 71 of the Federal Aviation Regulations will revise the transition area located at Clovis, NM. The old Portales Airport has been closed and the existing Portales NDB relocated. The development of a new NDB RWY 1 SIAP to the new Portales Municipal Airport, utilizing the Portales NDB in its new location, has necessitated this amendment. The intended effect of this amendment is to provide adequate controlled airspace for aircraft executing the new NDB RWY 1 SIAP to the new Portales Municipal Airport. Coincident with this amendment will be the changing of the status of the new Portales Municipal Airport from VFR to IFR.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended as follows:

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES CONTROLLED AIRSPACE, AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Clovis, NM [Revised]

That airspace extending upward from 700 feet above the surface within a 23-mile radius of Cannon Air Force Base, Clovis, NM (latitude 34°23'01" N., longitude 103°18'58" W.); within 7.5 miles north and 2 miles south of the Texico VORTAC (latitude 34°29'42" N., longitude 102°50'21" W.) 254° and 074° radials, extending from the 23-mile radius area to 1.5 miles east of the Texico VORTAC; and within an 8-mile radius of the Portales Municipal Airport (latitude 34°08'44" N., longitude 103°24'36" W.), and within 3.5 miles each side of the 210° bearing of the Portales NDB (latitude 34°09'04" N., longitude 103°24'21" W.), extending from the 8-mile radius area to 11.5 miles southwest of the Portales Municipal Airport.

Issued in Fort Worth, TX, on February 7, 1990.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 90-4482 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8290]

RIN 1545-AO01

Limitations on Passive Activity Losses and Credits—Miscellaneous

AGENCY: Internal Revenue Service, Treasury.

ACTION: Amendments of temporary regulations.

SUMMARY: This document amends the temporary regulations relating to the limitations on passive activity losses and passive activity credits. The amendments respond to questions concerning the treatment of losses resulting from recent natural disasters by providing that the limitations do not apply to certain casualty and theft losses. The text of the temporary regulations also serves as the text of the proposed regulations for the notice of

proposed rulemaking on this subject. The notice of proposed rulemaking appears in the Proposed Rules section of this issue of the *Federal Register*.

EFFECTIVE DATE: These regulations are effective for taxable years beginning after December 31, 1986.

FOR FURTHER INFORMATION CONTACT: Robert Stoddart at 202-566-4751 (not a toll-free number), or at Internal Revenue Service, 1111 Constitution Avenue, NW., Room 4429, Washington, DC 20224 (Attn: CC:CORP:T:R (PS-065-89)).

SUPPLEMENTARY INFORMATION:

Background

The Internal Revenue Service has issued two installments of temporary regulations under section 469 of the Code (T.D. 8175, 53 FR 5686, February 25, 1988, and T.D. 8253, 54 FR 20527, May 12, 1989). Section 1.469-2T provides rules for computing the passive activity loss for the taxable year. This document amends § 1.469-2T in certain respects.

Amendments of Section 1.469-2T

I. Treatment of Casualty and Theft Losses

The Internal Revenue Service has determined that section 469 of the Code should not limit the deductibility of certain casualty and theft losses. Accordingly, these amendments of the regulations add the losses to the list of nonpassive deductions in § 1.469-2T(d)(2). This exemption from the section 469 limitations applies only to losses that arise from fire, storm, shipwreck, or other casualty, or from theft, as those terms are used in section 165(c)(3). In addition, the exemption does not apply if losses that are similar in cause and severity recur regularly in the conduct of the activity. Thus, section 469 will not limit losses such as those resulting from recent natural disasters, but may disallow shoplifting losses of a retail store, accident losses typically sustained in the operation of a fleet of rental automobiles, and other similar losses that recur regularly in the conduct of an activity.

The exemption for casualty and theft losses applies to all taxpayers subject to section 469. For losses sustained in taxable years beginning before January 1, 1990, however, the rule is elective and taxpayers may continue to treat the losses as passive activity deductions.

These amendments of the regulations also add a new exclusion from passive activity gross income to the list contained in § 1.469-2T(c)(7). The new exclusion applies only to casualty and theft loss reimbursements that are included in gross income under § 1.165-1(d)(2)(iii) and only if the deduction for

the loss was not a passive activity deduction. Any other gross income attributable to reimbursements will continue to be included in or excluded from passive activity gross income under the rules contained in the existing regulations. The amendments of the regulations provide this exclusion because reimbursements are included in gross income under § 1.165-1(d)(2)(iii) only to the extent necessary to offset the tax benefit of any deduction that the taxpayer claimed with respect to the loss. Applying the same principle to computations under section 469, the amount included in gross income under § 1.165-1(d)(2)(iii) should not be treated as passive activity gross income if the deduction for the loss was excluded from passive activity deductions.

II. Treatment of Capital Loss Carrybacks and Carryovers

These amendments of the regulations eliminate a disparity in the treatment of capital loss carryovers and carrybacks under section 469. If a corporation has a net capital loss for a taxable year, the amount of the loss generally is a capital loss carryback to each of the three taxable years preceding the loss year and a capital loss carryover to each of the five taxable years succeeding the loss year. Before its amendment by these regulations, § 1.469-2T(d)(2)(ix) excluded capital loss carryovers but not carrybacks from passive activity deductions. Under § 1.469-2T(d)(2)(ix) as amended by these regulations, both capital loss carryovers and carrybacks are excluded from passive activity deductions.

Special Analyses

It has been determined that these rules are not major rules as defined in Executive Order 12291. Therefore, a Regulatory Impact Analysis is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, a final Regulatory Flexibility Analysis is not required.

Drafting Information

The principal author of these regulations is Michael J. Grace, Office of the Assistant Chief Counsel (Passthroughs and Special Industries), Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations on matters of both substance and style.

List of Subjects in 26 CFR 1.441-2 Through 1.483-2

Accounting, Deferred compensation plans, Income taxes.

Adoption of Amendments to the Regulations

Accordingly, title 26, chapter 1, part 1 of the Code of Federal Regulations is amended as follows:

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Paragraph 1. The authority for part 1 continues to read in part:

Authority: 26 U.S.C. 7805. * * * Secs. 1.469-1T, 1.469-2T, 1.469-3T, 1.469-5T, and 1.469-11T also issued under 26 U.S.C. 469(1).

Par. 2. Section 1.469-2T is amended as follows:

1. Paragraphs (c)(7) (iv) and (v) are revised, and the introductory text of paragraph (c)(7) is republished.
2. A new paragraph (c)(7)(vi) is added.
3. Paragraphs (d)(2)(ix) and (d)(2)(x) are revised, and the introductory text of paragraph (d)(2) is republished.
4. A new paragraph (d)(2)(xi) is added. The revised and added provisions read:

§ 1.469-2T Passive activity loss (temporary).

* * * * *

(c) Passive activity gross income—

(7) *Other items specifically excluded.* Notwithstanding any other provision of the regulations under section 469, passive activity gross income does not include the following:

* * * * *

(iv) Gross income of an individual from a covenant by such individual not to compete;

(v) Gross income that is treated as not from a passive activity under any provision of the regulations under section 469, including but not limited to § 1.469-1T(h)(6) (relating to income from intercompany transactions of members of an affiliated group of corporations filing a consolidated return) and paragraph (f) of this section (relating to recharacterized passive income); and

(vi) Gross income attributable to the reimbursement of a loss from fire, storm, shipwreck, or other casualty, or from theft (as such terms are used in section 165(c)(3)) if—

(A) The reimbursement is included in gross income under § 1.165-1(d)(2)(iii) (relating to reimbursements of losses that the taxpayer deducted in a prior taxable year); and

(B) The deduction for the loss was not a passive activity deduction.

(d) *Passive activity deductions—* * * *
(2) *Exceptions.* Passive activity deductions do not include—

* * * * *

(ix) An item of loss or deduction that is carried to the taxable year under section 172(a), section 613A(d), section 1212(a)(1) (in the case of corporations), or section 1212(b) (in the case of taxpayers other than corporations);

(x) An item of loss or deduction that would have been allowed for a taxable year beginning before January 1, 1987, but for section 704(d), 1366, or 465; and

(xi) A deduction for a loss from fire, storm, shipwreck, or other casualty, or from theft (as such terms are used in section 165(c)(3)) if losses that are similar in cause and severity do not recur regularly in the conduct of the activity and the taxpayer—

(A) Sustains the loss during a taxable year beginning after December 31, 1989; or

(B) Sustains the loss during a taxable year beginning before January 1, 1990, and treats the deduction as a deduction that is not from a passive activity on the taxpayer's return (or amended return) for such taxable year.

* * * * *

There is need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is impracticable to issue this Treasury decision with notice and public procedure under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

Fred T. Goldberg, Jr.,
Commissioner of Internal Revenue.

Approved: February 13, 1990.

Kenneth W. Gideon,
Assistant Secretary of the Treasury.
[FR Doc. 90-4454 Filed 2-23-90; 8:45 am]
BILLING CODE 4830-01-M

DEPARTMENT OF EDUCATION**34 CFR Part 201**

RIN 1810-AA48

Chapter 1—Migrant Education Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends 34 CFR part 201 to display and codify the control numbers assigned by the Office of Management and Budget (OMB) to information collection requirements contained in the regulations. The

Department must display and codify the control numbers to comply with applicable statutory and regulatory requirements. Publication of these control numbers informs the public that OMB has approved the information collection requirements and that they have taken effect.

EFFECTIVE DATES: Sections 201.11, 201.20, 201.30, 201.32, 201.36, 201.51, 201.52, 201.56, and this amendment are effective February 28, 1990.

FOR FURTHER INFORMATION CONTACT:

Mr. Joseph P. Bertoglio, Office of Migrant Education, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., Room 2145 FOB-6, Washington, DC 20202-6135. Telephone: (202) 732-4758.

SUPPLEMENTARY INFORMATION: Final regulations for 34 CFR part 201 were published in the *Federal Register* on October 23, 1989 (54 FR 43220). At the time of publication of the regulations, it was noted that certain sections of the regulations contained information collection requirements requiring review by the Office of Management and Budget (OMB), and those sections would become effective after approval by OMB under the Paperwork Reduction Act of 1980, as amended.

OMB approved the information collection requirements in §§ 201.11, 201.20, 201.30, 201.32, 201.36, 201.51, 201.52, and 201.56, and those sections of the regulations are now effective.

Waiver of Notice of Proposed Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act (20 U.S.C. 1232(b)(2)(A)) and the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the publication of OMB control numbers is purely technical and does not establish substantive policy. Therefore, the Secretary has determined, under 5 U.S.C. 553(b)(B), that proposed rulemaking is unnecessary and contrary to the public interest and that a delayed effective date is not required under 5 U.S.C. 553(d)(3).

Executive Order 12291

These regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the order.

Regulatory Flexibility Act Certification

The Secretary certifies that these regulations contain only technical amendments and would not have a significant impact on any entities.

List of Subjects in 34 CFR Part 201

Children, Education, Grant programs—education, Identification and recruitment, Local educational agencies, Migratory children, Special educational needs, State educational agencies.

Dated: February 22, 1990.

Lauro F. Cavazos,

Secretary of Education.

(Catalog of Federal Domestic Assistance Number 84.011, Migrant Education Basic State Formula Grant Program)

The Secretary amends part 201 of title 34 of the Code of Federal Regulations as follows:

CHAPTER I**PART 201—CHAPTER 1—MIGRANT EDUCATION PROGRAM**

1. The authority citation for part 201 continues to read as follows:

Authority: 20 U.S.C. 2781-2782, unless otherwise noted.

§§ 201.20 and 201.30 [Amended]

2. Sections 201.20 and 201.30 are amended by adding "(Approved by the Office of Management and Budget under control number 1810-0520)" following each section.

§§ 201.11, 201.32, 201.36, 201.51, 201.52 and 201.56 [Amended]

3. Sections 201.11, 201.32, 201.36, 201.51, 201.52, and 201.56 are amended by adding "(Approved by the Office of Management and Budget under control number 1810-0519)" following each section.

[FR Doc. 90-4459 Filed 2-27-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF VETERANS AFFAIRS**38 CFR Part 36****Increase in Maximum Permissible Interest Rates on Guaranteed Manufactured Home Loans, Home and Condominium Loans, and Home Improvement Loans**

AGENCY: Department of Veterans Affairs.

ACTION: Final regulations.

SUMMARY: VA (Department of Veterans Affairs) is increasing the maximum interest rates on guaranteed manufactured home unit loans, lot loans, and combination manufactured home

unit and lot loans. In addition, the maximum interest rates applicable to fixed payment and graduated payment home and condominium loans, and to home improvement and energy conservation loans are also increased. These increases are necessary because previous rates were not competitive enough to induce lenders to make guaranteed or insured home loans without substantial discounts, or to make manufactured home loans. The increase in the interest rates will assure a continuing supply of funds for home mortgages, home improvement and manufactured home loans.

EFFECTIVE DATE: February 23, 1990.

FOR FURTHER INFORMATION CONTACT:

Mr. Alan Schneider, Loan Guaranty Service (264), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 (202-233-3042).

SUPPLEMENTARY INFORMATION: The Administrator is required by section 1812(f), title 38, United States Code, to establish maximum interest rates for manufactured home loans guaranteed by the VA as he finds the manufactured home loan capital markets demand. Recent market indicators—including the prime rate, the general increase in interest rates charged on conventional manufactured home loans, and the increase in other short-term and long-term interest rates—have shown that the manufactured home capital markets have become more restrictive. It is now necessary to increase the interest rates on manufactured home unit loans, lot loans, and combination manufactured home unit and lot loans in order to assure an adequate supply of funds from lenders and investors to make these types of VA loans.

The Administrator is also required by section 1803(c), title 38, United States Code, to establish maximum interest rates for home and condominium loans, including graduated payment mortgage loans, and for loans for home improvement purposes. Recent market indicators—including the rate of discount charged by lenders on VA loans and the general increase in interest rates charged by lenders on conventional loans, have shown that the mortgage money market has become more restrictive. The maximum rates in effect for VA guaranteed home and condominium loans and those for energy conservation and home improvement purposes have not been sufficiently competitive to induce private sector lenders to make these types of VA guaranteed or insured loans without imposing substantial discounts. To assure a continuing supply of funds for

home mortgages through the VA loan guaranty program, it has been determined that an increase in the maximum permissible rates applicable to home and improvement loans is necessary. The increased return to the lender will make VA loans competitive with other available investments and assure a continuing supply of funds for guaranteed and insured mortgages.

Regulatory Flexibility Act/Executive Order 12291

For the reasons discussed in the May 7, 1981 Federal Register, (46 FR 25443), it has previously been determined that final regulations of this type which change the maximum interest rates for loans guaranteed, insured, or made pursuant to chapter 37 of title 38, United States Code, are not subject to the provisions of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

These regulatory amendments have also been reviewed under the provisions of Executive Order 12291. VA finds that they do not come within the definition of a "major rule" as defined in that Order. The existing process of informal consultation among representatives within the Executive Office of the President, OMB, VA and the Department of Housing and Urban Development has been determined to be adequate to satisfy the intent of this Executive Order for this category of regulations. This alternative consultation process permits timely rate adjustments with minimal risk of premature disclosure. In summary, this consultation process will fulfill the intent of the Executive Order while still permitting compliance with statutory responsibilities for timely rate adjustments and a stable flow of mortgage credit at rates consistent with the market.

These final regulations come within exceptions to the general VA policy of prior publication of proposed rules as contained in 38 CFR 1.12. The publication of notice of a regulatory change in the VA maximum interest rates for VA guaranteed, insured, and direct home and condominium loans, loans for energy conservation and other home improvement purposes, and loans for manufactured home purposes would create an acute shortage of funds pending the final rule publication date which would necessarily be more than 30 days after publication in proposed form. Accordingly, it has been determined that publication of proposed regulations prior to publication of final regulations is impracticable, unnecessary, and contrary to the public interest.

(Catalog of Federal Domestic Assistance Program numbers, 64.113, 64.114, and 64.119)

These regulations are adopted under authority granted to the Administrator by sections 210(c), 1803(c)(1), 1811(d)(1) and 1812 (f) and (g) of title 38, United States Code. The regulations are clearly within that statutory authority and are consistent with Congressional intent.

These increases are accomplished by amending §§ 36.4212(a) (1), (2), and (3), and 36.4311 (a), (b), and (c), and 36.4503(a), title 38, Code of Federal Regulations.

List of Subjects in 38 CFR Part 36

Condominiums, Handicapped, Housing, Loan programs—housing and community development, Manufactured homes, Veterans.

Approved: February 22, 1990.

Edward J. Derwinski,
Secretary of Veterans Affairs.

38 CFR part 36, Loan Guaranty, is amended as follows:

PART 36—[AMENDED]

1. In § 36.4212, paragraph (a) is revised to read as follows:

§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed or insured pursuant to 38 U.S.C. 1812 may not exceed the following maxima except on loans guaranteed or insured pursuant to guaranty or insurance commitments issued by VA prior to the respective effective date: February 23, 1990.

(Authority: 38 U.S.C. 18129f.)

(1) Effective February 23, 1990, 12½ percent simple interest per annum for a loan which finances the purchases of a manufactured home unit only.

(2) Effective February 23, 1990, 12 percent simple interest per annum for a loan which finances the purchases of a lot only and the cost of necessary site preparation, if any.

(3) Effective February 23, 1990, 12 percent simple interest per annum for a loan which will finance the simultaneous acquisition of a manufactured home and a lot and/or the site preparation necessary to make a lot acceptable as the site for the manufactured home.

2. In § 36.4311, paragraphs (a), (b), and (c) are revised as follows:

§ 36.4311 Interest rates.

(a) Excepting loans guaranteed or insured pursuant to guaranty or

insurance commitments issued by VA which specify an interest rate in excess of 10 per centum per annum, effective February 23, 1990, the interest rate on any home or condominium loan, other than a graduated payment mortgage loan, guaranteed or insured wholly or in part on or after such date may not exceed 10 per centum per annum on the unpaid principal balance.

(b) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by VA which specify an interest rate in excess of 10¼ per centum per annum, effective February 23, 1990, the interest rate of any graduated payment mortgage loan guaranteed or insured wholly or in part on or after such date may not exceed 10¼ per centum per annum.

(Authority: 38 U.S.C. 1803(c)(1).)

(c) Effective February 23, 1990, the interest rate on any loan solely for energy conservation improvements or other alterations, improvements or repairs, which is guaranteed or insured wholly or in part on or after such date may not exceed 11½ per centum per annum on the unpaid principal balance.

(Authority: 38 U.S.C. 1803(c)(1).)

3. In § 36.4503, Paragraph (a) is revised as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after October 1, 1980, shall not exceed an amount which bears the same ratio to \$33,000 as the amount of the guaranty to which the veterans is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$27,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Except as to home improvement loans, loans made by VA shall bear interest at the rate of 10 percent per annum. Loans solely for the purposes of energy conservation improvements or other alterations, improvements, or repairs shall bear interest at the rate of 11½ percent per annum.

(Authority: 38 U.S.C. 1811(d)(1) and (2)(A).)

[FR Doc. 90-4516 Filed 2-27-90; 8:45 am]

BILLING CODE 8320-01-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-45

[FPMR Amdt. H-176]

Utilization and Disposal of Personal Property

AGENCY: Federal Supply Service, GSA.

ACTION: Final rule.

SUMMARY: This regulation changes FPMR subchapter H to implement the exception from the witnessing requirement pertaining to Resource Conservation and Recovery Act (RCRA) regulated, noncontrolled, condemned hazardous substances in Federal supply class (FSC) 6505. Two employees witnessing destruction of such property at contractor facilities is resource intensive and cost prohibitive. It is an unnecessary requirement because the Environmental Protection Agency regulations governing RCRA regulated, noncontrolled substances ensure that such substances will be properly destroyed without witnessing.

EFFECTIVE DATE: February 28, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Stanley M. Duda, Director, Property Management Division (FBP), 703-557-1240.

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101-45

Government property management, Reporting and recordkeeping requirements, Surplus government property.

For the reasons set out in the preamble, title 41, chapter 101 of the Code of Federal Regulations is amended as set forth below.

PART 101-45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

1. The authority citation for part 101-45 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c) secs. 101-45.400 to 101-45.405 also issued under sec. 307, 49 Stat. 890; 40 U.S.C. 3041.

Subpart 101-45.9—Abandonment or Destruction of Personal Property

2. Section 101-45.903 is amended by revising paragraphs (c) and (d) to read as follows:

§ 101-45.903 Destruction of surplus drugs, biologicals, and reagents.

(c) Destruction of surplus drugs, biologicals, and reagents, including controlled substances, shall be performed by an employee of the holding agency or State agency in the presence of two additional employees of the agency as witnesses to that destruction, except as noted in § 101-45.903(c)(1), unless, in the case of controlled substances, the Regional Director of DEA directs otherwise.

(1) Resource Conservation and Recovery Act (RCRA) regulated, noncontrolled, condemned hazardous substances in Federal supply class (FSC) 6505 may be destroyed without the witnessing by employees of the agency. The destruction shall be in accordance with the Environmental Protection Agency regulations for the disposal of RCRA regulated noncontrolled substances, 40 CFR part 260 *et seq.*

(2) It is the holding agency's responsibility to take all necessary measures to ensure that contractor performance is in accordance with the provisions of this § 101-45.903.

(d) When surplus drugs, biologicals, and reagents, including controlled substances, have been destroyed, the fact, manner, and date of the destruction and the type and quantity destroyed shall be certified to by the agency employee charged with the responsibility for that destruction. The two agency employees who witnessed the destruction shall sign the following statement, except as noted in § 101-45.903(c)(1), above, which shall appear on the certification below the signature of the certifying employee:

I have witnessed the destruction of the (controlled substances) (drugs, biologicals, and reagents other than controlled substances) described in the foregoing certification in the manner and on the date stated herein:

Date

Witness

Date

Dated: January 30, 1990.

Richard G. Austin,

Acting Administrator of General Services.

[FR Doc. 90-4503 Filed 2-27-90; 8:45 am]

BILLING CODE 6820-24-M

FEDERAL EMERGENCY MANAGEMENT AGENCY**44 CFR Part 64**

[Docket No. FEMA 6863]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the *Federal Register*.

EFFECTIVE DATE: The third date ("Susp.") listed in the third column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street, Southwest, Room 417, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022), prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted

adequate floodplain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR part 59 *et seq.*). Accordingly, the communities will be suspended on the effective date in the fourth column. As of the date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the *Federal Register*. In the interim, if you wish to determine if a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas. (Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Administrator finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Witness

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, FEMA, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local floodplain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular

community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate floodplain management, thus placing itself in noncompliance of the Federal standards required for community participation. In each entry, a complete chronology of effective dates appears for each listed community.

List of Subjects in 44 CFR Part 64

Flood insurance—floodplains.

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of eligible communities.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region II				
New Jersey:				
LaFayette, township of, Sussex County	340532	Nov. 24, 1975, Emerg.; Mar. 18, 1983, Reg.; Mar. 5, 1990, Susp.	Mar. 5, 1990.....	Mar. 5, 1990.
Stillwater, township of, Sussex County.....	340560	Aug. 4, 1975, Emerg.; Feb. 25, 1983, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region III				
Pennsylvania:				
East Carroll, township of, Cambria County	422268	Nov. 12, 1981, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Portage, township of, Cambria County	421444	Mar. 28, 1978, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Shamokin, township of, Northumberland County.....	421159	Apr. 23, 1974, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Virginia: Fairfax County, unincorporated areas.....	515525	Jan. 7, 1972, Emerg.; Jan. 7, 1972, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region IV				
Mississippi: Lee County, unincorporated areas.....	280227	Feb. 7, 1978, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region V				
Illinois: Mound City, city of, Pulaski County	170565	July 17, 1974, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Michigan: Bridgeton, township of, Newaygo County.....	260466	May 6, 1976, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Minnesota: Blue Earth County, unincorporated areas.....	275231	Mar. 19, 1971, Emerg.; Nov. 24, 1972, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Ohio:				
Columbiana County, unincorporated areas.....	390076	May 12, 1977, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Garrettsville, village of, Portage County	390455	July 7, 1975, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Jeffersonville, village of, Fayette County.....	390165	Oct. 14, 1975, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Wisconsin:				
Bell Center, village of, Crawford County	550068	Aug. 16, 1978, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Elmwood, village of, Pierce County.....	550068	Apr. 29, 1975, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Gays Mills, village of, Crawford County.....	550071	Apr. 12, 1973, Emerg.; June 15, 1978, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Soldiers Grove, village of, Crawford County.....	550074	Apr. 9, 1971, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region VI				
Oklahoma: Kay County, unincorporated areas.....	400477	July 15, 1987, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Texas: Madisonville, city of, Madison County.....	480464	July 23, 1975, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region VIII				
Nebraska: Schuyler, city of, Colfax County	310046	Aug. 30, 1974, Emerg.; Mar. 5, 1990, Reg.; Mar. 5, 1990, Susp.	.....do.....	Do.
Region III				
Pennsylvania:				
Ehrenfeld, borough of, Cambria County.....	420228	Feb. 24, 1977, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	Mar. 19, 1990	Mar. 19, 1990
South Fork, borough of, Cambria County.....	420238	Aug. 15, 1975, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	.....do.....	Do.
Summerhill, borough of, Cambria County.....	420242	July 9, 1975, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	.....do.....	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
West Taylor, township of, Cambria County.....	421450	Aug. 3, 1977, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	.....do.....	Do.
White, township of, Cambria County.....	422258	May 3, 1977, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	.....do.....	Do.
Region VII				
Missouri: Byrnes Mill, city of, Jefferson County.....	290891	July 21, 1987, Emerg.; Mar. 19, 1990, Reg.; Mar. 19, 1990, Susp.	.....do.....	Do.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Issued: January 22, 1990.

Harold T. Duryee,

Administrator, Federal Insurance Administration.

[FR Doc. 90-4548 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

44 CFR Part 64

[Docket No. FEMA 6864]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective date shown in this rule because of noncompliance with the revised floodplain management criteria of the NFIP. If FEMA receives documentation that the community has adopted the required revisions prior to the effective suspension date given in this rule, the community will not be suspended and the suspension will be withdrawn by publication in the *Federal Register*.

EFFECTIVE DATE: As shown in fourth column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, Federal Center Plaza, 500 C Street SW., Room 416, Washington, DC 20472, (202) 646-2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and

new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022), prohibits flood insurance coverage as authorized under the NFIP (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate floodplain management measures with effective enforcement measures.

On August 25, 1986, FEMA published a final rule in the *Federal Register* that revised the NFIP floodplain management criteria. The rule became effective on October 1, 1986. As a condition for continued eligibility in the NFIP, the criteria at 44 CFR 60.7 require communities to revise their floodplain management regulations to make them consistent with any revised NFIP regulation within 6 months of the effective date of that revision or be subject to suspension from participation in the NFIP.

The communities listed in this notice have not amended or adopted floodplain management regulations that incorporate the rule revision. Accordingly, the communities are not compliant with NFIP criteria and will be suspended on the effective date shown in this final rule. However, some of these communities may adopt and submit the required documentation of legally enforceable revised floodplain management regulations after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the *Federal Register*. In the interim, if you wish to determine if a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

The Administrator finds that notice and public procedures under 5 U.S.C. 533(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified. Each community receives a 90- and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, FEMA, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local floodplain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to adopt adequate floodplain management measures, thus placing itself in noncompliance with the Federal standards required for community participation.

List of Subjects in 44 CFR Part 64

Flood insurance and floodplains.

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of eligible communities.

State and community name	County	Community No.	Effective date
Regular Program			
Missouri:			
Advance, City of.....	Stoddard.....	290420	Mar. 5, 1990.
Archie, City of.....	Clinton.....	290793	Do.
Cobalt City, Village of.....	Madison.....	290601	Do.
Eminence, City of.....	Shannon.....	290418	Do.
Glenaire, Village of.....	Clay.....	290092	Do.
Homestown, City of.....	Pemiscot.....	290278	Do.
Hopkins, City of.....	Nodaway.....	290489	Do.
Jackson, City of.....	Cape Girardeau.....	295265	Do.
Mountain Grove, City.....	Wright.....	290456	Do.
Piedmont, City of.....	Wayne.....	290451	Do.
Pleasant Hill, City of.....	Cass.....	295269	Do.
Ohio:			
Carlisle, Village of.....	Montgomery.....	390606	Mar. 19, 1990.
Carrollton, Village of.....	Carroll.....	390048	Do.
Grand River, Village of.....	Lake.....	390315	Do.
Grover Hill, Village of.....	Paulding.....	390436	Do.
North Olmsted, City of.....	Cuyahoga.....	390120	Do.
Peninsula, Village of.....	Summit.....	390530	Do.
Perry, Village of.....	Lake.....	390320	Do.
Vinton, Village of.....	Gallia.....	390189	Do.

Issued: January 22, 1990.

Harold T. Duryee,

Administrator, Federal Insurance
Administration.

[FR Doc. 90-4547 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

44 CFR Part 65

[Docket No. FEMA-6982]

Changes in Flood Elevation Determinations, Alabama et al.

AGENCY: Federal Emergency
Management Agency.

ACTION: Interim rule.

SUMMARY: This rule lists those communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) elevations for new buildings and their contents and for second layer insurance on existing buildings and their contents.

DATES: These modified elevations are currently in effect and amend the Flood Insurance Rate Map (FIRM) in effect prior to this determination.

From the date of the second publication of notice of these changes in a prominent local newspaper, any person has ninety (90) days in which he can request through the community that the Administrator, reconsider the changes. These modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base (100-year) flood elevation determinations are available for inspection at the office of the Chief Executive Officer of the community, listed in the fifth column of

the table. Send comments to that address also.

FOR FURTHER INFORMATION CONTACT:
Mr. John L. Matticks, Chief, Risk Studies
Division, Federal Insurance
Administration, Federal Emergency
Management Agency, Washington, DC
20472, (202) 646-2767.

SUPPLEMENTARY INFORMATION: The numerous changes made in the base (100-year) flood elevations on the FIRM(s) make it administratively infeasible to publish in this notice all of the modified base (100-year) flood elevations contained on the map. However, this rule includes the address of the Chief Executive Officer of the community where the modified base (100-year) flood elevation determinations are available for inspection.

Any request for reconsideration must be based on knowledge of changed conditions, or new scientific or technical data.

These modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 65.4.

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.

These base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program.

These elevations, together with the floodplain management measures required by 60.3 of the program regulations are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time, enact stricter requirements on its own, or pursuant to policies established by other Federal, State or regional entities.

The changes in the base (100-year) flood elevations listed below are in accordance with 44 CFR 65.4.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains.

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*,
Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 65.4 is amended by adding in alphabetical sequence new entries to the table.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Mobile	City of Mobile	January 25, 1990, February 1, 1990, <i>Mobile Register</i> .	The Honorable Michael Dow, Mayor, City of Mobile, P.O. Box 1827, Mobile, Alabama 36633-1827.	January 17, 1990.	015007
California: Fresno	City of Clovis	January 24 and 31, 1990, <i>Clovis Independent</i> .	The Honorable Thomas Stearns, Mayor, City of Clovis, 1033 Fifth Street, Clovis, California 93612.	January 8, 1990.	060044
Maryland: Independent City	Baltimore	February 8, 1990, February 15, 1990, <i>The Baltimore Sun</i> .	The Honorable Kurt L. Schmoke, Mayor of the City of Baltimore, Room 250, City Hall, 100 N. Holiday Street, Baltimore, Maryland 21202.	February 1, 1990.	240087 D
Wisconsin: Dane	Village of Black Earth	February 8, 1990, February 15, 1990, <i>Dane County News</i> .	The Honorable Ronald Norris, President, Village of Black Earth, Village Hall, 1210 Mill Street, Black Earth, Wisconsin 53515.	January 24, 1990.	550079
Wisconsin: Dane	Village of Cross Plains	February 8, 1990, February 15, 1990, <i>Cross Plains Arrow</i> .	The Honorable Richard Greffin, President, Village of Cross Plains, 2107 Julius Street, Cross Plains, Wisconsin 53528.	January 24, 1990.	550081
Wisconsin: Dane	Village of Mazomanie	February 8, 1990, February 15, 1990, <i>Mazomanie Sickle</i> .	The Honorable Christopher J. Dietzen, Mayor, Village of Mazomanie, Village Hall, 133 Crescent Street, P.O. Box 26, Mazomanie, Wisconsin 53560.	January 24, 1990.	550085
Wisconsin: Dane	Unincorporated Areas	February 8, 1990, February 15, 1990, <i>Wisconsin State Journal</i> .	The Honorable Richard J. Phelps, County Executive, Dane County, 210 Martin Luther King Boulevard, Room 412, Madison, Wisconsin 53709.	January 24, 1990.	550077

Issued: February 12, 1990.

Harold T. Duryee,
Administrator, Federal Insurance
Administration.

[FR Doc. 90-4549 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency
Management Agency.

ACTION: Final rule.

SUMMARY: Modified base (100-year) flood elevations are finalized for the communities listed below.

These modified elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program.

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing modified base flood elevations, for the community. This date may be obtained by contacting the office where the maps are available for inspection indicated on the table below:

ADDRESSES: See table below:

FOR FURTHER INFORMATION CONTACT: Mr. John L. Matticks, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2767.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management

Agency gives notice of the final determinations of flood elevation for each community listed. Proposed base flood elevations or proposed modified base flood elevations have been published in the *Federal Register* for each community listed.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1968 (title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67. An opportunity for the community or individuals to appeal the proposed determination to or through the community for a period of ninety (90) days has been provided.

The Agency has developed criteria for floodplain management in flood-prone areas in accordance with 44 CFR part 60. Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies for reasons set out in the proposed rule that the final flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. Also, this rule is not a major rule under terms of Executive Order 12291, so no regulatory analyses have been proposed. It does not involve any collection of information for purposes of the Paperwork Reduction Act.

List of Subjects in 44 CFR Part 67

Flood insurance, Floodplains.

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, E.O. 12127.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The modified base flood elevations are finalized in the communities listed below. Elevations at selected locations in each community are shown. Any appeals of the proposed base flood elevations which were received have been resolved by the Agency.

Source of flooding and location	# Depth in feet above ground. Elevation in feet (NHVD). Modified
Arkansas	
White Hall (City), Jefferson County (FEMA Docket No. 6970)	
<i>Gamble Creek:</i>	
At the downstream corporate limits	*241
At a point approximately 740 feet downstream of the downstream side of U.S. Route 65	*261
Approximately 600 feet upstream of corporate limits	*274
Maps available for inspection at the City Hall, 101 Parkway Drive, White Hall, Arkansas.	
California	
San Jacinto (City), Riverside County (FEMA Docket No. 6915)	
<i>Bautista Wash:</i>	
Approximately 700 feet downstream of Seventh Street	*1,521
At Grand Avenue	*1,526
At Atchison Topeka and Santa Fe Railroad	*1,535
<i>Park Hill Drain:</i>	
At western corporate limits	*1,568
Approximately 500 feet south on San Jacinto Street from intersection with Midway Street	*1,582
At southern corporate limits	*1,600

Source of flooding and location	# Depth in feet above ground. Elevation in feet (NHVD). Modified	Source of flooding and location	# Depth in feet above ground. Elevation in feet (NHVD). Modified
Maps available for inspection at the City Hall, 201 East Main Street, San Jacinto, California.		Approximately 25 feet upstream of East Penn Street bridge.	*470
Colorado		At upstream corporate limits.	*482
Boulder County (Unincorporated Areas) (FEMA Docket No. 6970)		Maps available for inspection at the Municipal Building, Constitution Avenue, Lehigh, Pennsylvania.	
<i>Boulder Creek:</i>		Walker (Township), Centre County (FEMA Docket No. 6973)	
Approximately 1,920 feet upstream of North 75th Street.	*5,120	<i>Nittany Creek:</i>	
Approximately 1,940 feet downstream of Service Road.	*5,123	At downstream corporate limits.	*925
Approximately 1,420 feet downstream of Service Road.	*5,125	Approximately 420 feet upstream of State Route 64.	*1,036
Approximately 520 feet downstream of Service Road.	*5,128	Maps available for inspection at the Walker Township Building, R.D. 2, Box 427V, Bellefonte, Pennsylvania.	
Maps are available for review at the Boulder County Department of Public Works, 1777 Sixth Street, Boulder, Colorado.		Texas	
Illinois		Farmers Branch (City), Dallas County (FEMA Docket No. 6964)	
Burr Ridge (Village), Du Page and Cook Counties (FEMA Docket No. 6970)		<i>Farmers Branch Creek:</i>	
<i>63rd Street Ditch:</i>		At confluence with Elm Fork of the Trinity River.	*434
About 340 feet downstream of Tomlin Drive.	*640	Approximately 1,825 feet upstream of confluence of Stream 6H1.	*580
Just upstream of Pond Inlet.	*646	<i>Rawhide Creek:</i>	
Just upstream of Pond Inlet.	*654	At confluence with Farmers Branch Creek.	*458
About 950 feet upstream of Grant Avenue.	*696	At upstream corporate limits.	*564
Maps available for inspection at the Town Hall, 7660 South County Line Road, Burr Ridge, Illinois.		<i>Cooks Branch:</i>	
Indiana		At downstream corporate limits.	*438
Jeffersonville (City), Clark County (FEMA Docket No. 6970)		At Frye Road.	*503
<i>Greenbriar Tributary:</i>		<i>Elm Fork of the Trinity River:</i>	
Just upstream of mouth.	*454	At downstream side of Royal Lane.	*432
Just downstream of 10th Street.	*457	Approximately .7 mile upstream of Valley View Lane.	*438
Maps available for inspection at the Building Department, City/County Building, 501 East Court Avenue, Room 416, Jeffersonville, Indiana.		<i>Stream 6H1:</i>	
Missouri		At confluence with Farmers Branch Creek.	*568
Shrewsbury (City), St. Louis County (FEMA Docket No. 6970)		Approximately 1,565 feet upstream of Midway Road.	*588
<i>Deer Creek:</i>		<i>Tributary CB 187-L:</i>	
Just downstream of Burlington Northern railroad.	*436	Approximately 200 feet upstream of confluence with Cooks Branch.	*484
Just upstream of Burlington Northern railroad.	*437	Approximately 693 feet upstream of confluence with Cooks Branch.	*486
Just downstream of Big Bend Boulevard.	*444	Maps available for inspection at the City Hall, 13000 William Dodson Parkway, Farmers Branch, Texas.	
<i>North Tributary to River Des Peres:</i>		San Antonio (City), Bexar County (FEMA Docket Nos. 6968 and 6943)	
Within community.	*431	<i>Zarzamora Creek:</i>	
Maps available for inspection at the City Hall, 4400 Shrewsbury Avenue, Shrewsbury, Missouri.		Downstream side of Callaghan Road.	*799
New Hampshire		At corporate limits.	*801
Lebanon (City), Grafton County (FEMA Docket No. 6970)		<i>Tributary D Salado Creek:</i>	
<i>Connecticut River:</i>		Upstream face of Ira Lee Road.	*709
Downstream corporate limits.	*346	Approximately 100 feet downstream of Harry Wurzbach Road.	*718
Upstream corporate limits.	*388	<i>Leon Creek:</i>	
<i>Mascoma River:</i>		Approximately 860 feet upstream of the corporate limits.	*849
Approximately 530 feet upstream of State Route 12A.	*351	Approximately 1.4 miles upstream of the corporate limits.	*873
Approximately 430 feet upstream of the second most downstream crossing of the Boston and Maine Railroad.		Maps available for inspection at the Department of Public Works, Drainage Engineering, 14 W. Commerce Street, 7th Floor, San Antonio, Texas 78205.	
Maps available for inspection at the City Hall, 51 North Park Street, Lebanon, New Hampshire.		Harold T. Duryee,	
Pennsylvania		<i>Administrator, Federal Insurance Administration.</i>	
Lehigh (Borough), Carbon County (FEMA Docket No.s 6973 and 6957)		[FR Doc. 90-4550 Filed 2-27-90; 8:45 am]	
<i>Mahoning Creek:</i>		BILLING CODE 6718-03-M	
Approximately 25 feet upstream of CONRAIL Bridge.	*462		
Approximately 700 feet upstream of Dam.	*465		

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 69

[Docket No. 88-326; FCC No. 88-283]

Tariff Filing Schedules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission is revising its Rules governing access tariff filing schedules. The revisions consolidate two scheduled filing dates and delay a third filing. The revisions also move the effective date of annual filings from January 1 to July 1 permanently, beginning in 1990. Minor, conforming revisions in other schedules in the access rules are also made.

EFFECTIVE DATE: September 1, 1988.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Daniel F. Grosh, Tariff Division, Common Carrier Bureau, (202) 632-6387.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order CC Docket 88-326, adopted August 24, 1988, and released September 14, 1988. It was inadvertently not submitted to the Federal Register and not published in the Federal Register at that time.

The full text of Commission Decisions are available for inspection and copying during normal business hours in the FCC Docket Branch (Room 230), 1919 M Street, Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, Northwest, Suite 140, Washington, DC 20037.

Summary of Report and Order

1. In the Notice of Proposed Rule Making (NPRM) in the proceeding captioned above, this Commission proposed revisions in our Rules governing access tariff filing schedules. The revisions would consolidate two scheduled filing dates and delay a third filing. The revisions would also move the effective date of annual filings from January 1 to July 1 permanently, beginning in 1990. Minor, conforming revisions in other schedules in the access rules were also proposed.

2. The proposed revisions were generally supported by comments. Based upon our experience, we conclude that the revised rules will reduce the filing burdens on telephone companies,

the Commission, and the public and thus better serve the public interest and carry out the purpose of the Communications Act. With certain clarifications and minor conforming revisions, the proposed rules are therefore adopted.

3. We certify that the Regulatory Flexibility Act is not applicable to the rule changes we are adopting in this proceeding. The Rules adopted herein will have a beneficial economic impact on telephone companies because it reduces the number of required access filings made by or on behalf of the companies, and thereby reduces their administrative costs.

4. The rules adopted in this Notice have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information, collection, or recordkeeping, labeling, disclosure, or record retention requirements as contemplated under the statute. The Rules will not increase the collection of information burdens imposed on the public.

Ordering Clause

5. Accordingly, it is ordered that the amendments to part 69 contained herein are adopted effective September 1, 1988. This action is taken pursuant to sections 4, 201-203, and 403 of the Communications Act of 1934, 47 U.S.C. 154, 201-203, 403, and 5 U.S.C. 553.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

List of Subjects in 47 CFR Part 69

Communications, Common carriers, Telephone.

Rule Changes

Part 69 of title 47 of the Code of Federal Regulations is amended to read as follows:

PART 69—[AMENDED]

The authority citation for part 69 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 205, 218, 403, 48 Stat. 1066, 1070, 1072, 1077, 1094, as amended, 47 U.S.C. 104, 201, 202, 203, 205, 218, 403.

2. Section 69.2 is amended by revising paragraphs (v) and (w) to read as follows:

§ 69.2 Definitions.

(v) *Level II Contributors.* A telephone company or group of affiliated telephone companies with fewer than 300,000 access lines and less than \$150 million in annual operating revenues that is not an association Common Line tariff

participant, that files its own Common Line tariff effective July 1, 1990, and that had a lower than average Common Line revenue requirement per minute of use in 1988 and thus was a net contributor (i.e., had a negative net balance) to the association Common Line pool in 1988.

(w) *Level II Receivers.* A telephone company or group of affiliated telephone companies with fewer than 300,000 access lines and less than \$150 million in annual operating revenues that is not an association Common Line tariff participant, that files its own Common Line tariff effective July 1, 1990, and that had a higher than average Common Line revenue requirement per minute of use in 1988 and thus was a net receiver (i.e., had a positive net balance) from the association Common Line pool in 1988.

3. Section 69.3 is amended by revising paragraphs (a), (b), (e)(6), and (e)(9) to read as follows:

§ 69.3 Filing of access service tariffs.

(a) Except as provided in § 69.3 of this chapter, a tariff for access service shall be filed with this Commission for an annual period. Such tariffs shall be filed so as to provide a minimum of 90 days notice with a scheduled effective date of July 1. Such tariff filings shall be limited to rate level changes.

(b) The requirements imposed by paragraph (a) of this section shall not preclude the filing of revisions to those annual tariffs that will become effective on dates other than July 1.

(e) * * *

(6) A telephone company or companies that elect to file such a tariff shall notify the association not later than December 31 of the preceding year, if such company or companies did not file such a tariff in the preceding annual period or cross-reference association charges in such preceding period that will not be cross-referenced in the new tariff.

(9) A telephone company or group of affiliated telephone companies that elects to file its own Carrier Common Line tariff effective April 1, 1989 shall notify the association not later than August 30 of the preceding year that it will no longer participate in the association tariff. A telephone company or group of affiliated telephone companies that elects to file its own Carrier Common Line tariff effective July 1, 1990 or thereafter pursuant to § 69.3(a) shall notify the association not later than December 31 of the preceding year that it will no longer participate in the association tariff. A telephone company

or group of affiliated telephone companies that elects to file its own Carrier Common Line tariff for one its study areas shall file its own Carrier Common Line tariff(s) for all of its study areas.

4. Section 69.209 is added to read as follows:

§ 69.209 Annual 1989 access tariff filings.

Notwithstanding § 69.3, tariffs for access service shall be filed to be effective April 1, 1989 for a period extending through June 30, 1990. Such tariffs shall be filed so as to provide a minimum of 90 days notice.

§ 69.606 [Amended]

5. Section 69.606 is amended by revising paragraph (b) to read as follows:

(b) The association shall submit a proposed revision of the formula for each annual period subsequent to December 31, 1986, or certify that a majority of the directors of the association believe that no revisions are warranted for such period on or before December 31 of the preceding year.

6. Section 69.612 is revised to read as follows:

§ 69.612 Long term and transitional support.

A telephone company that does not participate in the association Common Line tariff shall have computed by the association:

(a) *Long term support obligation.* (1) For the period from April 1, 1989 through June 30, 1994, the Long Term Support payment obligation shall be funded by all telephone companies that are not association Common Line tariff participants and do not receive transitional support pursuant to § 69.612(b).

(2) Beginning July 1, 1994 and thereafter, the Long Term Support payment obligation shall be funded by each telephone company that files its own Carrier Common Line tariff and does not receive transitional support.

(b) *Transitional support.* (1) Telephone Companies categorized as Level I and Level II Receivers that file their own Common Line tariffs effective April 1, 1989 shall receive Transitional Support for a four year period commencing April 1, 1989. Level II Receivers that file their own Common Line tariffs effective July 1, 1990 shall receive Transitional Support for a four year period commencing July 1, 1990. Transitional Support for all of these telephone companies shall be computed

on the basis of the net revenues less revenue requirement amounts for 1988 (adjusted for the additional revenues resulting from an increase in End User Common Line charges to \$3.50). Transitional Support for these telephone companies during the transition shall be as follows:

Year 1—80% of the adjusted 1988 frozen amount

Year 2—60% of the adjusted 1988 frozen amount

Year 3—40% of the adjusted 1988 frozen amount

Year 4—20% of the adjusted 1988 frozen amount

(2) For the period from April 1, 1989 through June 30, 1994, the Transitional Support Fund shall be funded by all telephone companies or groups of affiliated telephone companies that are not association Common Line tariff participants and do not qualify under § 69.612(b)(1) for Transitional Support payments.

[FR Doc. 90-4424 Filed 2-27-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 390

[FHWA Docket No. MC-89-6]

RIN 2125-AC51

Federal Motor Carrier Safety Regulations; General; Marking of Rental Motor Vehicles

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The FHWA is amending § 390.21, Marking of Vehicles, of the Federal Motor Carrier Safety Regulations (FMCSRs) to allow motor carriers who rent certain "rental vehicles" to mark those vehicles with the name and address of the rental company, and their "USDOT" Identification Number in lieu of requiring the renting motor carrier to display its required identification information on the sides of the rental vehicle. This action is being taken in response to a petition filed by the Truck Rental and Leasing Association (TRALA). The petition articulated compliance problems with a segment of the trucking industry that had not been considered during the promulgation of the marking requirement. This rule is providing an alternative method for compliance with the FHWA's marking requirements. The FHWA recognizes the

uniqueness of the truck renting and leasing industry and believes that this action is cost-effective and will reduce the economic burden placed on the rental industry and motor carriers. This rule also establishes procedures for rental companies to follow in identifying their vehicles and the renting motor carrier.

EFFECTIVE DATE: This rule is effective March 30, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Neill L. Thomas, Office of Motor Carrier Standards, (202) 366-2981, or Mr. Thomas P. Holian, Office of the Chief Counsel, (202) 366-1350, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday, except legal holidays.

SUPPLEMENTARY INFORMATION:

Background

The Motor Carrier Safety Act of 1984 (MCSA) (49 U.S.C. App. 2501-2520 (Supp. V 1987)) authorizes the FHWA to establish a minimum vehicle marking requirement for all commercial motor vehicles, as defined in the MCSA, if the agency determines that such a requirement will ensure that commercial motor vehicles are safely maintained, equipped, loaded, and operated.

The Interstate Commerce Commission (ICC) regulates the marking of commercial motor vehicles operated by another segment of the motor carrier industry. That segment is comprised of 2 groups of for-hire motor carriers, namely, common and contract motor carriers of property or passengers.

The final rule, published in the *Federal Register* on May 19, 1988 (53 FR 18042, Docket No. MC-114), and effective on November 15, 1988, amended part 390 of the Federal Motor Carrier Safety Regulations (FMCSRs) by adding § 390.21, Marking of Motor Vehicles. The final rule generally required self-propelled commercial motor vehicles operated by private motor carriers of property in interstate commerce and self-propelled motor vehicles operated by an interstate motor carrier of migrant workers to be marked. The marking was to be located on both sides of the self-propelled vehicle and consist of the motor carrier's name or trade name, the city or community and State (name abbreviated) in which the carrier maintains its principal place of business, and the motor carrier identification number (if issued by the FHWA, preceded by the letters "USDOT"). The statutory authority for the promulgation of the new rule was cited as 49 U.S.C. 3104.

The Truck Rental and Leasing Association (TRALA) petitioned the FHWA to amend the marking requirements found at 49 CFR 390.21 and thereby eliminate certain costly operational problems indicative of short-term rental of commercial motor vehicles to private and for-hire motor carriers. The TRALA stated that:

The nature of the truck rental industry makes the vehicle marking rules for short term commercial rental vehicles impractical for a variety of reasons. Trucks and tractors that are available for rental to motor carriers are, in fact, rented as frequently as 50-150 times per year. Because of this frequency, any vehicle marking would have to be under the control of the truck rental company. To place the responsibility of vehicle marking on the customer could result in damage or disfigurement to the vehicle. Additionally, if the responsibility is placed on the customer, there will be many inadvertent violations of the regulation due to misunderstandings or confusion on the part of the customer. * * * Nearly 15% of the companies that rent vehicles for short term use do not own or operate any trucks of their own. Because (they believe) they are not motor carriers, it is unlikely that they would have a census identification number.

In view of the above, the TRALA proposed the following:

(a) That upon application by a truck rental company, the DOT will issue a census identification number to the company, provided it certifies to the DOT that it will display its census number and its own vehicle identification on the side of the vehicle and, it will, upon request of the DOT, provide the identity of any rental customer given the vehicle number and the time and date of a reported driving infraction.

(b) That the display of the rental company's own census identification number and vehicle identification number will satisfy the vehicle marking requirements of any motor carriers using rental vehicles in interstate commerce.

(c) Because the rules do not apply to "the occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise," we propose that the rules relating to the marking of Motor Vehicles specifically exclude those vehicles, available for rent by the public, that are primarily dedicated to just such transportation.

The TRALA also proposed that the FHWA require the renting motor carrier's name, address, and DOT identification number be placed on the rental agreement and that rental agreement be carried on the vehicle during the full term of the rental agreement. Further, TRALA proposed that the rental company display conspicuously, on the rental agreement, the following language:

This lessor cooperates with federal, state and local law enforcement officials

nationwide to provide the identity of customers who operate (this rental) vehicle.

On July 17, 1989, the FHWA published an ANPRM at (53 FR 29912) seeking public comments from interested parties on several marking of vehicles issues. Because the compliance problems cited by TRALA in its petition had not been considered in the promulgation of the marking requirements in § 390.21, the FHWA included TRALA's proposal concerning the marking of rental vehicles for commercial purposes.

Review of Comments

The FHWA received nineteen comments concerning the marking requirement proposal to Docket Number MC-89-6. Of these, seven favored the requirements as proposed by TRALA in the ANPRM (53 FR 29912).

Three respondents opposed TRALA's proposal. Nine offered no comments on TRALA's request.

The three commenters opposing the TRALA proposal cited the following reasons for their opposition. U-Haul International, a truck rental company, stated that although it generally supported TRALA's request to grant a total exemption to those vehicles which are primarily used for an already-exempt purpose—such as moving one's own belongings—it believed the marking requirements were not practical. The company believed that it is impossible to accurately identify a commercial movement through the resources available at the rental counter level.

Mr. David E. McCabe, a private citizen felt the renting motor carrier should supply its own door placards, and that a copy of the rental agreement should be kept in the vehicle when used in interstate commerce. The respondent also stated that rental companies leasing these types of vehicles to interstate carriers should be registered with the FHWA and that there should be some level of accountability imposed on the rental company.

The Massachusetts Department of Public Safety believes the TRALA proposal has a "definite flaw." " * * * a rental company that failed to mark its vehicles, in accordance with the regulation, could simply claim that it only rents its vehicles to private citizens. A company that wished to carry illegal cargo, i.e. hazardous material or contraband, would simply rent a truck as a private citizen knowing that an unmarked rental truck would be a telltale indicator of a private citizen moving personal belongings and therefore less likely to be stopped for a FMCSR inspection."

Of the six supporting TRALA, comments were received from the National Automobile Dealers Association, Federal Express, Yellow Freight System, Inc., the National Private Truck Council, Owner-Operator Independent Drivers Association, Inc., and the American Trucking Associations, Inc.

Several of the supporters justified their support by citing the following:

(1) Displaying the rental company USDOT number would relieve a common carrier of the duty to display its ICC number during short-term leases of rental equipment;

(2) It would eliminate a technical requirement for the renting motor carrier;

(3) TRALA's proposal would permit the rental companies to better protect the substantial investments they have in their vehicles; and

(4) TRALA's proposed revisions would enhance uniformity and relieve administrative burdens on small businesses.

One large association commented that the FHWA should consider the need to promulgate specific marking requirements for rental vehicles, due to their uniqueness.

The TRALA contends regulatory uniformity, motor carrier and vehicle identification, and driver identification will be enhanced if its proposal is acted upon affirmatively. The FHWA believes that the TRALA proposal has merit and is both reasonable and logical.

It is known from past enforcement experience that many entities which operate commercial motor vehicles in interstate commerce claim no knowledge of the existence of the DOT, the FHWA, or the FMCSRs. While ignorance of the law is no excuse, the situation, nevertheless, exists and creates a problem for those who must enforce regulations such as vehicle marking. The TRALA proposal could enhance compliance with Federal marking requirements, since that requirement would be brought to the renting motor carrier's attention each time a rental agreement is prepared and executed. Motor carriers who have not filed for a DOT identification number could then be advised to do so by the rental company. Since the rental company would be required to place the name and address of the renting motor carrier and its DOT identification number on each rental agreement, with a copy of the rental agreement being carried on the motor vehicle, the appropriate identification information of that renting motor carrier would always be readily available to enforcement personnel whenever needed.

The need for immediate information is of great importance to enforcement personnel at an inspection site and in the later development of statistical information. It has been determined that the character of the motor carrier's operation (interstate or intrastate) and whether hazardous materials transportation is involved are two items of information that are needed at the time a vehicle is stopped for inspection. The character of the motor carrier's operation is needed to determine applicability of the regulations. Identification of the commodities being transported is significant when rulemaking and/or enforcement strategies are being developed. If the renting motor carrier has been assigned a USDOT identification number and it is placed on the rental agreement, the needed information with either be known immediately or generated automatically at a later time. Without the renting motor carrier's identification number, an informational void is created unless additional information is obtained. Therefore, renting motor carriers who have not yet been assigned a USDOT identification number must supply the following information to the rental company for inclusion on the rental agreement:

1. The renting motor carrier (is/is not) an interstate motor carrier.
2. The renting motor carrier (does/does not) transport hazardous materials.

There is, at this time, little or no information available with which those motor carriers that rent commercial motor vehicles can be profiled. The FHWA intends to develop such information during the first two years following the issuance of this final rule. It is anticipated that a list of motor carriers using rental commercial motor vehicles will be developed from information obtained from the rental companies. Subsequently, the FHWA intends to sample that list to ascertain the renting motor carrier's degree of compliance with the FMCSRs. The results of the 2-year study will dictate any subsequent action. The FHWA invites all rental companies who plan to take advantage of this rulemaking action to work closely with Agency personnel in this monitoring effort.

The TRALA also proposed to define the term "Rented motor vehicle" to mean a self-propelled motor vehicle under a lease agreement having a term not in excess of twelve (12) months. The FHWA has determined that the vast majority of rental commercial motor vehicles are rented for a period of time that is less than thirty (30) days duration. In view of this, the FHWA is

defining the term "Rented motor vehicle" to mean a self-propelled commercial motor vehicle used by a motor carrier under a rental agreement having a term not in excess of 30 days.

The action taken in this rule results from reconsideration of a recently issued regulation based on information not fully available to the agency at the time. The marking requirement in § 390.21 does create a greater burden for certain carriers, and this amendment will relieve some of that burden by offering an alternative method of compliance. This rule adds no new requirements, and provides no relaxation of the safety purposes to be served by the marking requirement. Moreover, the proposal, while not in precise regulatory language, was previously published for comment and the comments received were considered. For these reasons the FHWA is issuing a final rule, but will continue to monitor the effects of this action while it considers additional issues related to the marking requirements.

Economic Impact Evaluation

The FHWA has determined that this document does not contain a major rule under Executive Order 12291 or a significant action under the Department of Transportation's regulatory policies and procedures. The impacts of the marking requirements were considered in adopting the original final rule (53 FR 18052, May 19, 1988). The action taken here essentially codifies an alternative means of compliance for a segment of the industry that was uniquely affected by the original rulemaking. This action imposes no significant costs on the industry, but merely provides an alternative means of compliance, and a means that was specifically requested by the industry.

The TRALA has advised that its industry rents and leases approximately 1.2 million commercial motor vehicles per year. The TRALA estimates that 65% of those are "rental" vehicles. This equates to 780,000 commercial motor vehicles being rented per year ($1.2 \text{ million} \times .65 = 780,000$). It is estimated that 45% of all commercial motor vehicles are used in interstate commerce. Therefore, the adjusted estimate of the number of commercial motor vehicles used in interstate commerce and rented by the truck rental and leasing industry is 351,000 ($780,000 \times .45 = 351,000$). This rulemaking action provides an alternative means of compliance, and essentially relaxes an existing rule for those choosing to take advantage of it. This action is sought by an industry that services the motor carrier industry. The motor carrier

industry supports the petition. Through contacts with the industry, it is estimated that it takes 10 minutes to apply signs to both sides of a commercial motor vehicle (10 minutes multiplied by 351,000 vehicles and divided by 60 minutes). If motor carriers choose to take advantage of the alternative, the FHWA estimates a burden reduction of 58,500 hours per year.

For these reasons and under the criteria of the Regulatory Flexibility Act (Pub. L. 96-354), the FHWA hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

The FHWA believes that circumstances warrant the issuance of this rulemaking action without further notice and opportunity for public comment. First, this action does not alter the basic marking requirements established on May 19, 1988, but rather provides an alternative means of compliance. Second, the marking requirements went into effect on November 15, 1988, and to ease confusion as motor carriers seek to comply with the rule, immediate action is needed now. Finally, through the ANPRM, TRALA's alternative compliance suggestion has been subject to notice and comment. Our action here essentially grants a waiver under circumstances unique to this segment of the industry that justify adoption of this alternative compliance mechanism. Including this alternative in the regulatory text will enable others in a similar situation to take advantage of it. Therefore, the FHWA finds good cause to adopt the alternative as a final rule.

A regulatory information number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

Federalism Assessment

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 49 CFR Part 390

Highway Safety, Highway and Roads, Motor carriers, Motor vehicle safety.

(Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety)

Issued on: February 16, 1990.

T. D. Larson,
Administrator.

In consideration of the foregoing, the FHWA is amending title 49, Code of Federal Regulations, subtitle B, chapter III, part 390, as follows:

PART 390—[AMENDED]

1. The authority citation for part 390 continues to read as follows:

Authority: 49 U.S.C. app. 2503 and 2505; 49 U.S.C. 3102 and 3104; 49 CFR 1.48.

§ 390.21 [Amended]

2. Section 390.21 is amended by revising the heading and adding a new paragraph (e) to read as follows:

§ 390.21 Marking of commercial motor vehicles.

* * * * *

(e) *Rented commercial motor vehicles.* A motor carrier operating a self-propelled commercial motor vehicle under a rental agreement having a term not in excess of 30 calendar days may meet the requirements of this section in either one of two ways:

(1) The vehicle is marked in accordance with the provisions of paragraphs (b) through (d) of this section; or

(2) The vehicle is marked as set forth below:

(i) The name or trade name of the lessor is displayed in accordance with paragraphs (c) and (d) of this section;

(ii) The city or community and State (name abbreviated), in which the lessor maintains its principal place of business or in which the vehicle is customarily based is displayed in accordance with paragraphs (c) and (d) of this section;

(iii) The lessor's identification number, issued by the FHWA, preceded by the letters "USDOT" is displayed in accordance with paragraphs (c) and (d) of this section; and

(iv) The rental agreement entered into by the lessor and the renting motor carrier conspicuously contains the following information:

(A) The name and complete physical address of the principal place of business of the renting motor carrier;

(B) The identification number issued the renting motor carrier by the Federal Highway Administration, preceded by the letters "USDOT," if the motor carrier has been issued such a number. In lieu of the identification number required in this paragraph, the following may be shown:

(1) Information which will indicate if the motor carrier is engaged in "interstate" or "intrastate" commerce; and

(2) Information which will indicate if the renting motor carrier is transporting hazardous materials in the rented vehicle;

(C) The sentence: "This lessor cooperates with all federal, state, and local law enforcement officials nationwide to provide the identity of customers who operate this rental vehicle;" and

(v) The rental agreement entered into by the lessor and the renting motor carrier is carried on the rental vehicle during the full term of the rental agreement.

[FR Doc. 90-4462 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-22-M

National Highway Traffic Safety Administration

49 CFR Part 591

[Docket No. 89-5; Notice 5]

RIN 2127-AD00

Importation of Vehicles and Equipment Subject to Federal Motor Vehicle Safety Standards; Correction

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule; corrections.

SUMMARY: On February 5, 1990, NHTSA published its response to petitions for reconsideration of the final rule on the importation of motor vehicles and equipment subject to the Federal motor vehicle safety standards. NHTSA deleted the requirement under § 591.6(f) that an importer obtain written permission to license nonconforming vehicles which are imported under § 591.5(j) for use on the public roads. Through an oversight, the corresponding provision in § 591.7(c) was not deleted. This notice makes such a deletion. Section 591.5(f)(1) was amended to substitute the term "durable value" for "entered value", but an identical change was not made to § 591.6(c). This notice makes the change.

DATE: The corrections are effective February 28, 1990.

FOR FURTHER INFORMATION CONTACT: Taylor Vinson, Office of Chief Counsel, NHTSA (202-366-5263).

SUPPLEMENTARY INFORMATION: On February 5, 1990, NHTSA published its response (Notice 4) to the petitions for reconsideration of 49 CFR part 591 Importation of Vehicles and Equipment

Subject to the Federal Motor Vehicle Safety Standards (55 FR 3742). In response to these petitions, NHTSA deleted the requirement that written approval be obtained from the Administrator under § 591.6(f) prior to the importation of vehicles intended to be imported pursuant to § 591.5(j), that is, imported for the purpose of research, investigations, studies, demonstrations or training, and competitive racing events. Part of the deleted paragraph (f) required the prospective importer to request permission to license the vehicle on the public roads if use on the public roads was an integral part of the purpose for which the vehicle was imported. In making this deletion, NHTSA overlooked the restriction upon importation contained in § 591.7(c), that an importer of a vehicle which had entered the United States under a declaration made pursuant to § 591.5(j) may license it for use on the public roads only if written permission has been granted by the Administrator pursuant to § 591.6(f). Thus, the notice published on February 5 deleted the referent and the requirement it contained. This notice completes the prior rulemaking by also deleting § 591.7(c).

The Imported Vehicle Safety Compliance Act of 1988 specifies that conformance bonds shall be based upon "durable value". Part 591 as originally adopted used the term "entered value", which the agency understood was the term now in use by the U.S. Customs Service. However, upon reflection, NHTSA adopted a definition of "durable value" in the February 5, notice, specifying it to be the entered value of merchandise as determined by the Secretary of the Treasury. The term "entered value" appeared in two places in part 591, but through an oversight, only one of these (§ 591.5(f)(1)) was changed. This notice corrects the second of these, appearing in § 591.6(c). Finally, a typographical error appearing in new § 591.6(g) is corrected.

Because these amendments are corrective in nature, it is hereby found that notice and public comment thereon are unnecessary, and that they may become effective upon publication in the *Federal Register*. As they make no substantive changes, they do not affect any of the impacts previously considered in relation to part 591.

List of Subjects in 49 CFR Part 591

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, part 591 of 49 CFR is amended as follows:

PART 591—[AMENDED]

1. The authority citation for part 591 continues to read as follows:

Authority: Public Law 100-562, 15 U.S.C. 1401, 1407; delegation of authority at 49 CFR 1.50.

§ 591.6 [Amended]

2. In § 591.6(c) the phrase "entered value of the vehicle as determined by the Secretary of the Treasury" is removed, and the phrase "durable value of the vehicle" is substituted.

3. In the final sentence of § 591.6(g), the words "vehicle of equipment item" are changed to "vehicle or equipment item."

§ 591.7 [Removed]

4. Section 591.7(c) is removed.

Issued on: February 22, 1990.

Jeffrey R. Miller,
Deputy Administrator.

[FR Doc. 90-4461 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 70355-7127]

Atlantic Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure.

SUMMARY: NMFS issues this notice to close the fishery for Atlantic bluefin tuna conducted by longline vessels permitted in the Incidental Catch category and operating in the Regulatory Area south of 36°00' N. latitude. Closure of this segment of the fishery is necessary because landings data indicate that the annual quota of Atlantic bluefin tuna allocated for this area will be attained by the effective date. The intent of this action is to prevent overharvest of the quota established for this fishery.

EFFECTIVE DATES: The closure is effective from 0001 hours local time February 28, 1990, through December 31, 1990.

FOR FURTHER INFORMATION CONTACT: Kathi L. Rodrigues, 508-281-9324.

SUPPLEMENTARY INFORMATION: Regulations promulgated under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971-971h) regulating the harvest of Atlantic bluefin tuna by persons and vessels subject to

U.S. jurisdiction were published in the Federal Register on October 25, 1985 (50 FR 43396).

Section 285.22(f)(1) of the regulations at 50 CFR part 285 provides for an annual quota of 145 st (131.5 mt) of Atlantic bluefin tuna to be harvested from the Regulatory Area by longline vessels permitted in the Incidental Catch category. Of this amount, no more than 115 st (104.3 mt) may be landed in the area south of 36°00' N. latitude. The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), is authorized under § 285.20(b)(1) to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the total catch of Atlantic bluefin tuna will equal any quota under § 285.22. The Assistant Administrator is further authorized

under § 285.20(b)(1) to prohibit the fishing for, or retention of, Atlantic bluefin tuna by those fishing in the category subject to the quota. The Assistant Administrator has determined, based on the reported catch, that the annual quota of Atlantic bluefin tuna for longline vessels fishing in the area south of 36°00' N. latitude will be attained by the effective date of this notice. Fishing for, and retention of, any Atlantic bluefin tuna harvested under § 285.22(f)(1) must cease at 0001 local time on February 28, 1990.

Longline vessels permitted in the Incidental Catch category fishing north of 36°00' N. latitude may continue to retain Atlantic bluefin tuna until the total annual quota of 145 st (131.5 mt) is achieved.

Other Matters

Notice of this action will be mailed to all Atlantic bluefin tuna dealers and to vessel owners permitted in the Incidental Catch category. This action is taken under the authority of 50 CFR 285.20, and is taken in compliance with E.O. 12291.

List of Subjects in 50 CFR Part 285

Fisheries, Penalties, Reporting and recordkeeping requirements, Treaties.

Authority: 16 U.S.C. 971 *et seq.*

Dated: February 22, 1990.

Richard H. Schaefer,

Director of Office of Fisheries, Conservation and Management, National Marine Fisheries Service.

[FR Doc. 90-4559 Filed 2-23-90; 3:09 pm]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

7 CFR Part 810

United States Standards for Wheat

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Federal Grain Inspection Service (FGIS) published an advanced notice of proposed rulemaking in the *Federal Register* on Monday, November 27, 1989, (54 FR 48752), outlining its intention to review the United States Standards for Wheat under the United States Grain Standards Act (USGSA), as amended. The notice provided an opportunity for interested persons to forward comments to FGIS until January 26, 1990, concerning any changes and/or revisions to the United States Standards for Wheat. FGIS is extending the comment period to provide interested persons with additional time in which to prepare comments on changes to the United States Standards for Wheat.

DATES: Comments must be submitted on or before March 30, 1990.

ADDRESSES: Written comments must be submitted to Paul D. Marsden, Federal Grain Inspection Service, USDA, Room 0628-S, Box 96454, Washington, DC 20090-6454. Telemail users may respond to [IRSTAFF/FGIS/USDA] telemail; telex users may respond to Paul D. Marsden, TLX: 7607351, ANS: FGIS UC; and telecopy users may send responses to the automatic telecopier machine at (202) 447-4628.

All comments received will be made available for public inspection at the above address during regular business hours (7 CFR 1.27 (b)).

FOR FURTHER INFORMATION CONTACT: Paul D. Marsden, address as above, telephone (202) 475-3428.

SUPPLEMENTARY INFORMATION: FGIS published an advanced notice of proposed rulemaking in the *Federal Register* on November 27, 1989, (54 FR 48752) with the intent to obtain public comment on the periodic review of the United States Standards for Wheat (7 CFR part 810). The periodic review of the United States Standards for Wheat is being conducted in accordance with Executive Order 12291 and Department Regulation 1512-1.

During this review, FGIS will assess such issues as the continued need for revision of the various sections of the standards, potential for improvements, and language clarity. In addition, the November 27, 1989, advance notice of proposed rulemaking listed specific items that would be reviewed. As of the close of the comment period on January 26, 1990, FGIS had received 9 comments. The FGIS Advisory Committee met January 18, 1990, and recommended that the comment period for this notice be extended to allow additional comments.

It has been determined that an extension of time to allow for additional comments would prove beneficial and the comment period is hereby extended from January 26, 1990, until March 30, 1990.

Authority: Sections 3A and 4, United States Grain Standards Act (7 U.S.C. 75a, 76).

Dated: February 23, 1990.

D.R. Gallant,

Acting Administrator.

[FR Doc. 90-4574 Filed 2-27-90; 8:45 am]

BILLING CODE 3410-EN-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 21 and 25

[Docket No. NM-44; Notice No. SC-90-3-NM]

Special Conditions: Beech Aircraft Corporation Models 400 and 400A Airplanes, Lightning and Radio Frequency (RF) Energy Protection

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: Special conditions are proposed for the Beech Aircraft Corporation Model 400 and Model 400A

airplanes. These airplanes will incorporate new technology electrical and electronic systems which perform critical or essential functions. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for the protection of these systems from the effects of lightning and radio frequency (RF) energy. This notice contains the additional safety standards which the Administrator considers necessary to ensure that the critical and essential functions the new technology electrical and electronic systems perform are maintained when the airplane is exposed to lightning and RF energy.

DATES: Comments must be received on or before March 30, 1990.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, Attn: Rules Docket (ANM-7), Docket No. NM-44, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168; or delivered in duplicate to the Office of the Assistant Chief Counsel at the above address. Comments must be marked: Docket No. NM-44. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Gene Vandermolen, FAA, Flight Test and Systems Branch, ANM-111, Transport Airplane Directorate, Aircraft Certification Service, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168, telephone (206) 431-2157.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before taking action on this proposal. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available in the Rules Docket for examination by interested

persons, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. NM-44." The postcard will be date/time stamped, and returned to the commenter.

Background

On February 22, 1988, Beech Aircraft Corporation applied for a change to their Type Certificate No. A16SW for the Model 400 and Model 400A airplanes to include new technology avionic systems which present or annunciate critical parameters to the flightcrew. The Model 400 airplane is a twin-engine business jet with a maximum seating capacity of 11 (2 pilots and 9 passengers), and powered by two Pratt and Whitney JT15D-5 turboprops. The Model 400A airplane differs from the Model 400 in that it will have a higher maximum operating altitude of 45,000 feet. The fuel capacity of the Model 400A will also be increased by approximately 100 gallons. The new technology avionic systems for these airplanes include, but are not necessary limited to: Digital electronic primary flight display, airdata, attitude heading reference system (AHRS), navigation and communication, autopilot, and sensor display units (SDU). These systems, which perform critical or essential functions, can be susceptible to disruption to both command and response signals as a result of electrical and magnetic interference. This disruption of signals could result in loss of critical or essential functions or the presentation of misleading information.

Type Certification Basis

Under the provisions of § 21.101 of the Federal Aviation Regulations, (FAR), Beech Aircraft Corporation must show that the Beech Model 400 and Model 400A, as changed, continue to meet the applicable provisions of the regulations incorporated by reference in Type Certificate No. A16SW, or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations incorporated by reference in Type Certificate No. A16SW are as follows:

Part 25 of the FAR effective February 1, 1965, as amended by Amendments 25-

1 through 25-40; §§ 25.1351(d), 25.1353(c)(5) and 25.1450; as amended by Amendment 25-41; §§ 25.29, 25.255, and 25.1353(c)(6), as amended by Amendment 25-42; § 25.361(b), as amended by Amendment 25-46; part 36 of the FAR effective December 1, 1969, as amended by Amendments 36-1 through the amendment effective on the date of type certification; SFAR 27 effective February 1, 1974, as amended by Amendment SFAR 27-1 through the amendment effective on the date of type certification; and various equivalent safety items listed on the type certificate which are not pertinent to the subject of these proposed special conditions.

In addition, special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations, if the Administrator finds that the applicable airworthiness regulations (i.e., part 25 as amended) do not contain adequate or appropriate safety standards for an airplane because of a novel or unusual design feature.

Special conditions, when prescribed, are issued in accordance with § 11.49 of the FAR after public notice, as required by §§ 11.28 and 11.29(b), and become part of the type certification basis in accordance with § 21.17(a)(2).

Discussion

The existing lightning protection airworthiness certification requirements are insufficient to provide an acceptable level of safety with the new technology avionic systems. There are two regulations that specifically pertain to lightning protection, one for the airframe in general (§ 25.581), and the other for fuel system protection (§ 25.954). There are, however, no regulations that deal specifically with protection of electrical and electronic systems from lightning. The loss of a critical function of these systems due to lightning would prevent continued safe flight and landing of the airplane. Although the loss of an essential function would not prevent continued safe flight and landing, it would significantly impact the safety level of the airplane.

There is also no specific regulation that addresses protection requirements for electrical and electronic systems from high energy, radio frequency (RF) transmissions. Increased power levels from ground based radio transmitters and the growing use of sensitive electrical and electronic systems to command and control airplanes have made it necessary to provide adequate protection.

To ensure that a level of safety is achieved equivalent to that intended by the regulations incorporated by

reference, special conditions are proposed for the Beech Model 400 and Model 400A series airplanes which would require that the new technology electrical and electronic systems be designed and installed to preclude component damage and interruption of function due to both the direct and indirect effects of lightning and radio frequency energy.

Lightning

To provide a means of compliance with the proposed special conditions, clarification of the threat definition for lightning is needed. The following "threat definition," based on Society of Automotive Engineers, Inc. (SAE) Report No. AE4L-87-3, is proposed as a basis to use in demonstrating compliance with the proposed lightning protection special condition:

The lightning current waveforms (Components A, D, and H) defined below, along with the voltage waveforms in Advisory Circular (AC) 20-53A, will provide a consistent and reasonable standard which is acceptable for use evaluating the effects of lightning on the airplane. These waveforms depict threats that are external to the airplane. How these threats affect the airplane and its systems depend upon their installation configuration, materials, shielding, airplane geometry, etc. Therefore, tests (including tests on the completed airplane or an adequate simulation) and/or verified analysis need to be conducted in order to obtain the resultant internal threat to the installed systems. The individual systems may then be evaluated with this internal threat in order to determine their susceptibility to upset and/or malfunction.

To evaluate the induced effects to these systems, three considerations are required:

1. *First Return Stroke:* (Severe Strike—Component A, or Restrike—Component D). This external threat needs to be evaluated to obtain the resultant internal threat and to verify that the level of the induced currents and voltages is sufficiently below the equipment "hardness" level; then

2. *Multiple Stroke Flash:* (½ Component D). A lightning strike is often composed of a number of successive strokes, referred to as a multiple stroke. Although multiple strokes are not necessarily a salient factor in a damage assessment, they can be the primary factor in a system upset analysis. Multiple strokes can induce a sequence of transients over an extended period of time. While a single event

upset of input/output signals may not affect system performance, multiple signal upsets over an extended period of time (2 seconds) may affect the systems under consideration. Repetitive pulse testing and/or analysis needs to be carried out in response to the multiple stroke environment to demonstrate that the system response meets the safety objective. This external multiple stroke environment consists of 24 pulses and is described as a single Component A followed by 23 randomly spaced restrikes of $\frac{1}{2}$ magnitude of Component D (peak amplitude of 50,000 amps). The 23 restrikes are distributed over a period of up to 2 seconds according to the following constraints: (1) The minimum time between subsequent strokes is 10ms, and (2) the maximum time between subsequent strokes is 200 ms. An analysis or test needs to be accomplished in order to obtain the resultant internal threat environment for the system under evaluation; and,

3. **Multiple Burst: (Component H).** In-flight data-gathering projects have shown bursts of multiple, low amplitude, fast rates of rise, short duration pulses accompanying the airplane lightning strike process. While insufficient energy exists in these pulses to cause physical damage, it is possible that transients resulting from this environment may cause upset to some digital processing systems.

The representation of this interference environment is a repetition of short duration, low amplitude, high peak rate of rise, double exponential pulses which represent the multiple bursts of current pulses observed in these flight data gathering projects. This component is intended for an analytical (or test) assessment of functional upset of the system. Again, it is required that this component be translated into an internal environmental threat in order to be used. This "Multiple Burst" consists of 24 random sets of 20 strokes each, distributed over a period of 2 seconds.

Each set of 20 strokes is made up of repetitive Component H waveforms distributed within a period of one millisecond. The minimum time between individual Component H pulses within a burst is 10 μ s, the maximum is 50 μ s. The 24 bursts are distributed over a period of up to 2 seconds according to the following constraints: (1) The minimum time between subsequent strokes is 10ms, and (2) the maximum time between subsequent strokes is 200ms. The individual "Multiple Burst" Component H waveform is defined below.

The following current waveforms constitute the "Severe Strike" (Component A), "Restrike" (Component D), "Multiple Stroke" ($\frac{1}{2}$ Component D), and the "Multiple Burst" (Component H). These components are defined by the following double exponential equation:

$$i(t) = I_0 (e^{-at} - e^{-bt})$$

where: t = time in seconds, i = current in amperes, and

	Severe Strike (Component A)	Restrike (Component D)	Multiple Stroke ($\frac{1}{2}$ Component D)	Multiple Burst (Component H)
I_0 , amp	218,810	109,405	54,703	10,572
a , sec $^{-1}$	11,354	22,708	22,708	187,191
b , sec $^{-1}$	647,265	1,294,530	1,294,530	19,105,100

This equation produces the following characteristics:

	200 KA	100KA	50 KA	10 KA
I_{peak}				
and				
$(di/dt)_{max}$ (amp/sec)	1.4×10^{11}	1.4×10^{11}	0.7×10^{11}	2.0×10^{11}
	@ $t=0+sec$	@ $t=0+sec$	@ $t=0+sec$	@ $t=0+sec$
di/dt , (amp/sec)	1.0×10^{11}	1.0×10^{11}	0.5×10^{11}	
	@ $t=.25\mu s$	@ $t=.25\mu s$	@ $t=.25\mu s$	
Action Integral (amp 2 sec)	2.0×10^6	0.25×10^6	$.0625 \times 10^6$	

Radio Frequency (RF) Energy

With the trend toward increased power levels from ground based transmitters, plus the advent of space and satellite communications, coupled with electronic command and control of the airplane, the immunity of the airplane to RF energy must be established.

It is not possible to precisely define the RF energy to which the airplane will be exposed in service. There is also uncertainty concerning the effectiveness of airframe shielding for RF energy. Furthermore, coupling to cockpit installed equipment through the cockpit window apertures is undefined. Based on surveys and analysis of existing RF emitters, an adequate level of protection

exists when it is shown that each system which performs critical functions is designed and installed to ensure that those functions are not adversely affected when exposed to one of the following:

1. A minimum RF threat of 100 volts per meter average electric field strength from 10 KHz to 18 GHz.

a. The threat must be applied to the system elements and their associated wiring harnesses without the benefit of airframe shielding.

b. Demonstration of this level of protection is established through system tests and analysis.

2. An RF threat external to the airframe of the following field strengths for the frequency ranges indicated.

Frequency	Peak (V/m)	Average (V/m)
10 KHz-500 KHz	80	80
500 KHz-2 MHz	80	80
2 MHz-30 MHz	200	200
30 MHz-100 MHz	33	33
100 MHz-200 MHz	33	33
200 MHz-400 MHz	150	33
400 MHz-1 GHz	8,300	2,000
1 GHz-2 GHz	9,000	1,500
2 GHz-4 GHz	17,000	1,200
4 GHz-6 GHz	14,500	800
6 GHz-8 GHz	4,000	666
8 GHz-12 GHz	9,000	2,000
12 GHz-20 GHz	4,000	509
20 GHz-40 GHz	4,000	1,000

The RF envelope given in paragraph 2 above is a revision to the envelope used in previously issued special conditions in other certification projects. It is based on new data and SAE AE4R

subcommittee recommendations. This revised envelope includes data from Western Europe and the U.S. It will also be adopted by the European Joint Airworthiness Authorities.

Conclusion: This action affects only certain unusual or novel design features on one model series of airplanes. It is not a rule of general applicability and affects only the manufacturer who applied to the FAA for approval of these features on the airplane.

List of Subjects in 14 CFR Parts 21 and 25

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions as part of the type certification basis for the Beech Aircraft Corporation Model 400 and Model 400A series airplanes:

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 1344, 1348(c), 1352, 1354(a), 1355, 1421 through 1431, 1502, 1651(b)(2), 42 U.S.C. 1857f-10, 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

1. **Lightning protection.** a. Each new electrical and electronic system which performs critical functions must be designed and installed to ensure that the operation and operational capability of these systems to perform critical functions are not affected when the airplane is exposed to lightning.

b. Each essential function of new or modified electrical or electronic systems or installations must be protected to ensure that the function can be recovered in a timely manner after the airplane has been exposed to lightning.

2. **Protection from unwanted effects of radio frequency (RF) energy.** Each new electrical and electronic system must be designed and installed to ensure that the operation and operational capabilities of these systems to perform critical functions are not adversely affected when the airplane is exposed to externally radiated electromagnetic energy.

3. For the purpose of these special conditions, the following definitions apply:

Critical functions. Functions whose failure would contribute to or cause a failure condition which would prevent the continued safe flight and landing of the airplane.

Essential functions. Functions whose failure would contribute to or cause a failure condition which would significantly impact the safety of the

airplane or the ability of the flightcrew to cope with adverse operating conditions.

Issued in Seattle, Washington, on February 16, 1990.

Darrell M. Pederson,
Assistant Manager, Transport Airplane
Directorate Aircraft Certification Service.

[FR Doc. 90-4489 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 89-CE-08-AD]

Airworthiness Directives; Cessna Model 180 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to adopt a new Airworthiness Directive (AD), applicable to certain Cessna Model 180 airplanes which would require installation of an instrument panel placard until the fuel tank primary vent is relocated behind the left wing strut. The FAA has received reports of fuel loss induced by syphoning due to an observable blockage of the primary over the wing fuel vent tube. The proposed actions will preclude loss of fuel out of the alternate fuel vent hole opening and subsequent loss of engine power.

DATES: Comments must be received on or before April 18, 1990.

ADDRESSES: Cessna Service Kit SK180-6, applicable to this AD, may be obtained from the Cessna Aircraft Company, Customer Services, P.O. Box 1521, Wichita, Kansas 67201. This information may also be examined at the Rules Docket at the address below. Send comments on the proposal in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 89-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT: Paul O. Pendleton, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; Telephone (316) 946-4427.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as

they may desire. Communications should identify the regulatory docket or notice number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Availability of NPRM's

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 89-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Discussion: An Advanced Notice of Proposed Rulemaking (ANPRM) to amend part 39 of the Federal Aviation Regulations to include an AD requiring modification of the early Cessna Model 180 airplane fuel vent system to prevent fuel syphoning and undetected fuel loss was published in the *Federal Register* on April 21, 1989 (54 FR 16127). This ANPRM resulted from a review of accident and incident files and malfunction or defect reporting system records on these airplanes.

Cessna manufactured the Model 170 series, some early Model 172 and 180, and all 190/195 series airplanes with a primary over the wing (above the cabin top) fuel tank vent tube. Reports have been received over the years of Cessna Model 180 airplanes being susceptible to fuel syphoning due to inadvertent or undetected ice blockage of the primary over the wing fuel vent tube and experiencing a high number of fuel loss incidents.

Cessna manufactured 2,488 Model 180 series airplanes from 1953 through 1955 with an over the wing fuel tank vent tube. These vents were subsequently determined to be susceptible to ice accretion. Inadvertent or undetected ice encounters may block the fuel vent tube inlet resulting in fuel being syphoned out the alternate vent hole on the aft side of the fuel vent tube. As a result, the fuel gauges may be erroneous as the bottom of the fuel bladder may be lifted toward

the top of the wing due to negative tank internal pressure. In the mid 1956 model year production, the Model 180 fuel tank vent tube was relocated under the wing behind the left wing lift strut. This vent location was used through the most recent production of the light single engine series airplanes. In 1963, the Cessna Model 180 series airplanes incorporated a second vent tube located behind the right wing lift strut. These dual primary fuel vents were utilized on all Cessna Model 180 series airplanes manufactured from 1963 through the most recent production.

The FAA has determined that there is a valid need to provide all remaining early Cessna Model 180 airplanes (approximately 1000) with under wing fuel tank vents.

Some of the Cessna Model 180 airplanes manufactured with the single over the wing fuel vent were later equipped with Cessna service kits to relocate the vent behind the left wing strut. During 1956, Cessna offered Service Kit SK-180-6 which consisted of an exchange program to provide fuel tanks with nipples capable of accommodating the under wing vent for the early Model 180 airplanes. Subsequently in 1959, Cessna offered Service Kit SK 180-17A which provided instructions and hardware to relocate the over the wing fuel vent tube to the under wing vent location. The Cessna vent relocation kits were discontinued several years ago. Cessna has advised the FAA it is not practical to make the Cessna vent relocation kits available again. However, Cessna will provide the instructions to equip their Model 180 airplanes with an under wing fuel vent. The detail parts can then be ordered and procured individually rather than as a boxed kit. The fuel bladder would have to be obtained from a source other than Cessna since Cessna is no longer able to procure it.

Interested persons have been afforded an opportunity to comment on the ANPRM. The ANPRM posed several questions about modifications to the airplane fuel vent system and operating procedures that, when answered, would better enable the FAA to determine if there is a need to improve the level of safety of over the wing fuel vent tube equipped Cessna Model 180 airplanes. One commenter concurred with the proposal to require modification of the airplane fuel tank (bladder) vents.

Several of the commenters stated they believed that the alternate vent hole in the fuel caps, which was required by AD 79-10-14R1, should be sufficient to allow the alternate vent hole in the over the wing fuel vent tube to be plugged. The FAA has determined that it is

undesirable to rely totally on the vented fuel caps if the primary vent is so susceptible to an icing encounter.

Recent accidents involving airplanes so equipped show that the negative pressure aft of the over the wing vent tube will syphon fuel and negate the benefits of the vented fuel cap.

Two of the commenters stated that they were in favor of using placards or Airplane Flight Manual Supplements to caution pilots on the susceptibility of the over the wing alternate fuel vent to syphon which may be induced by ice obstruction of the forward facing primary opening in the over the wing fuel vent tube. The FAA concurs.

Since the condition described is likely to exist or develop in other Cessna Model 180 airplanes of the same design, the proposed AD would require installation of a caution placard on all Cessna Model 180 airplanes not equipped with an under the wing fuel vent and subsequent installation of an under the wing vent. The placard would caution the pilot about the possibility of fuel loss in the event of an inadvertent icing encounter. Regarding the proposed fuel vent modification, Cessna advises that operators must obtain the P/N 0726000-13 fuel cell from a source other than Cessna since they are no longer able to procure bladder fuel tanks. Cessna also recommends that an operator may comply with Cessna Service Kits SK 180-6 by obtaining copies of the kit instructions from Cessna Customer Services. The detail parts can then be ordered and procured individually rather than as a boxed kit. This would be true for those operators purchasing a new tank or desiring to convert their airplanes presently equipped with the P/N 0726000-13 fuel cell to the under wing fuel vent configuration provided by SK 180-6. The FAA has determined that the overall majority of the affected airplanes are treated as "collectors items" and as such are not subject to repeated icing encounters. In addition, the nature of the proposed fuel system modification is such that every consideration should be given to accomplishing the modification during other maintenance on the airplane. Therefore, the proposed compliance time on the modification has been established as within the next 500 hours time-in-service or when the left fuel tank is removed for any purpose, whichever occurs first.

The FAA has determined that there are approximately 1,000 airplanes affected by the proposed AD. The cost of inspecting, placarding, and later modifying the affected airplanes per the proposed AD is estimated to be \$200 per airplane. The total cost is estimated to

be \$200,000. The cost of compliance with the proposed AD is so small that the expense of compliance will not have a significant financial impact on any small entities operating these airplanes.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) [Revised Pub. L. 97-449, January 12, 1983]; and 14 CFR 11.85.

§ 39.13 Amended]

2. Section 39.13 is amended by adding the following new AD:

Cessna: Applies to Model 180 airplanes (Serial Numbers 30000 thru 32487) equipped with over the wing (cabin) primary fuel vents, certificated in any category.

Compliance: Required as indicated in the body of the AD, unless already accomplished. To preclude undetected fuel loss on airplanes equipped with an over the wing (above the cabin top) fuel vent tube, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, fabricate and install the following placard on the instrument panel in full view of the pilot using letters at least 1/4 inch high: "Caution, Undetected Fuel Loss and Erroneous Fuel Gauging May Occur After an Inadvertent Icing Encounter."

(b) Within the next 500 hours TIS after the effective date of this AD, or when the left fuel bladder is removed for any purpose, whichever occurs first, modify or install a fuel tank (bladder) equivalent to Cessna Part Number 0726000-13 (Fuel vent in the outboard end of the fuel tank container), and relocate the primary fuel vent opening to behind the left lift strut in accordance with Cessna Service Kit SK 180-6. (Under the wing primary fuel vents behind both the left and right wing lift struts are acceptable).

(c) The placard specified in paragraph (a) of this AD is not required if the airplane has been modified per the requirements of paragraph (b) above.

Note 1: Fuel tank bladders and modifications may be obtained from the following sources:

1. Aero Tire and Tank, Inc., 11219 Shady Trail, Dallas, TX 75229
2. Aviation Fuel Cells International, 5680 Shelby Drive, Memphis, TN 38115
3. Floats and Fuel Cells, 4010 Pilot Drive, Suite 3, Memphis, TN 38118
4. Aviation Materials, 4300 Swinnea Road, Memphis, TN 38118.

(d) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(e) In accordance with FAR part 43 appendix A, item 29, the placard installation required by this AD is preventative maintenance and may be performed by the holder of a pilot certificate issued under FAR part 61 subject to the limitations of FAR 43.3. The maintenance record entries required by FAR 43.9 and FAR 91.173 must be accomplished.

(f) An alternate means of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office, Federal Aviation Administration, 1801 Airport Road, Room 100, Wichita, Kansas 67209.

Note 2: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita Aircraft Certification Office.

All persons affected by this directive may obtain copies of the document referred to herein upon request to the Cessna Aircraft Company, Customer Services, P.O. Box 1521, Wichita, Kansas 67201; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on February 14, 1990.

Barry D. Clements,
Manager, Small Airplane Directorate,
Aircraft Certification Service.
[FR Doc. 90-4484 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 90-CE-08-AD]

Airworthiness Directives; Hoffmann Aircraft GmbH Model Dimona H-36 Gliders

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to adopt a new Airworthiness Directive (AD), applicable to Hoffmann Aircraft GmbH DIMONA H-36 gliders, which would require a visual inspection to check the distance between the main bolts and the bulkhead bushings in the wing spar tunnel and repair, as necessary. This action is prompted by the discovery of measurement differences in this area. This condition, if not corrected, can result in very high pressures in the bulkhead bushings resulting in permanent deformation which compromises the structural integrity of the wing attachment.

DATES: Comments must be received on or before April 18, 1990.

ADDRESSES: The technical information specified in the AD may be obtained from Hoffmann Aircraft GmbH, Richard-Neutra-Gasse 5, 1210 Wein, Austria. This information also may be examined at the Rules Docket at the address below. Send comments on the proposal in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT:

Mr. Heinz Hellebrand, Brussels Aircraft certification Office, FAA, c/o American Embassy, 15 Rue de la Loi B1040, Brussels, Belgium; Telephone 793.21.10, extension 2718; or James S. Kishi, Small Airplane Directorate, Aircraft Certification Service, FAA, 601 East 12th Street, Room 1656, Kansas City, Missouri 64106; Telephone (816) 426-6933.

SUPPLEMENTARY INFORMATION:

Comments invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in triplicate to the address specified above.

All communications received on or before the closing date for comments specified above will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Discussion: Hoffmann Aircraft GmbH has determined that the main bolts in the wing spar tunnel on Model DIMONA H-36 gliders, installed during manufacture, may be too short in length. This can result in very high pressures in the associated bushings which can significantly alter the loads and load path in the wing support structure. This condition compromises the structural integrity of this system. As a result, the manufacturer has issued Service Bulletin Number 24, dated May 17, 1988, which recommends a visual inspection and measurement to check the distance between the main bolts and the bulkhead bushings in the wing spar tunnel. The Bundesamt für Zivilluftfahrt (BAZ), who has the responsibility and authority to maintain the continuing airworthiness of these gliders in Austria, has classified this service bulletin and the actions recommended therein by the manufacturer as mandatory to assure the continued airworthiness of the affected gliders. On gliders operated under Austrian registration, this action has the same effect as an AD on gliders certified for operation in the United States. The FAA relies upon the certification of the BAZ combined with FAA review of pertinent documentation in finding compliance of the design of these gliders with the applicable United States airworthiness requirements and the airworthiness conformity of products of this type design certificated for operation in the United States. The FAA has examined the available information related to the issuance of Service Bulletin Number 24, dated May 17, 1988, and the mandatory classification of this

service bulletin by the BAZ. Based on the foregoing, the FAA believes that the condition addressed by the service bulletin is an unsafe condition that may exist on other products of this type design certificated for operation in the United States. Consequently, the proposed AD would require a visual inspection and measurement of the main bolts and the bulkhead bushings in the wing spar tunnel on Hoffman Model H-36 Dimona gliders in accordance with the aforementioned service bulletin.

The FAA has determined there are 5 gliders currently on the U.S. Registry that would be affected by the proposed AD. The cost of the actions specified in the proposed AD is estimated to be \$55 per glider. The total cost is estimated to be \$275. The cost of compliance with the proposed AD is so small that the expense of compliance will not be a significant financial impact on any small entities operating these gliders.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rule Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.85

§ 39.13 [amended]

2. Section 39.13 is amended by adding the following new AD:

Hoffmann Aircraft GmbH: Applies to Model H-36 Dimona (all serial numbers) gliders, certificated in any category.

Compliance: Required within the next 50 hours time-in-service after the effective date of this AD, unless already accomplished. To insure the continued structural integrity of the wing attachments, accomplish the following:

(a) Visually inspect and measure the distance between the main bolt heads, the bulkhead bushings, and the back face of the main bulkhead in the wing spar tunnel in accordance with the instructions and criteria specified in Hoffman Aircraft GmbH Service Bulletin Number 24, dated May 17, 1988. If any discrepancies are noted, prior to further flight repair the discrepancies in accordance with the instructions contained in the above Service Bulletin.

(b) An alternate method of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office, FAA, c/o American Embassy, B-1000, Brussels, Belgium.

Note: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels Aircraft Certification Office.

All persons affected by this directive may obtain copies of the document referred to herein upon request to Hoffman Aircraft GmbH, Richard-Neutra-Gasse 5, 1210 Wien, Austria; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

* Issued in Kansas City, Missouri, on February 14, 1990.

Barry D. Clements,
Manager, Small Airplane Directorate,
Aircraft Certification Service.
[FR Doc. 80-4485 Filed 2-27-90; 8:45 am]
BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 89-NM-215-AD]

Airworthiness Directives; McDonnell Douglas Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and Model MD-88 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to supersede an existing airworthiness directive (AD), applicable to McDonnell Douglas Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and Model MD-88 series airplanes, which currently requires repetitive replacement of eight valve body attachment screws of the power transfer unit shutoff (PTU S/O) valve. That action was prompted by two cases of dual hydraulic system failure during flight. This condition, if not corrected, could result in landing without normal hydraulic systems, necessitating the use of backup, non-powered control systems. This proposal would require that certain PTU S/O valves be removed from service and an improved valve be installed.

DATES: Comments must be received no later than April 12, 1990.

ADDRESSES: Send comments on the proposal in duplicate to the Federal Aviation Administration, Northwest Mountain Region, Transport Airplane Directorate, ANM-103, Attention: Airworthiness Rules Docket No. 89-NM-215-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. The applicable service information may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90801, ATTN: Business Unit Manager, Technical Publications, C1-HCW (54-60); or from Whittaker Controls, 12838 Saticoy Street, North Hollywood, California 91605. This information may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or at the Los Angeles Aircraft Certification Office, 3229 East Spring Street, Long Beach, California.

FOR FURTHER INFORMATION CONTACT: Mr. Robert T. Razzeto, Aerospace Engineer, Los Angeles Aircraft Certification Office, Systems and Equipment Branch, ANM-131L, FAA, Northwest Mountain Region, 3229 East Spring Street, Long Beach, California 90806-2425; telephone (213) 988-5355.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on

the proposed rule. The proposals contained in this Notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA/public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this Notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 89-NM-215-AD". The postcard will be date/time stamped and returned to the commenter.

Discussion: On September 29, 1989, the FAA issued AD 89-22-02, Amendment 39-6356 (54 FR 41960; October 13, 1989), to require repetitive replacement of the eight valve body attachment screws of the PTU S/O valve. That action was prompted by two instances of dual hydraulic system failures during flight. In both cases, it was determined that the PTU/SO valve, Whittaker Controls part number (P/N) 240695, had failed. This condition, if not corrected, could result in landing without normal hydraulic systems, necessitating the use of backup, non-powered control systems.

AD 89-22-02 was issued as an interim safety action to allow continued operation of aircraft with the affected PTU S/O valve until the manufacturer could produce a sufficient number of improved valves to enable all discrepant valves to be removed from service.

The FAA has reviewed and approved Whittaker Controls Service Bulletin 240695-29-1, dated March 15, 1988, which describes procedures for the modification of the currently installed valves to the improved Whittaker Controls PTU S/O valve configuration. Installation of this improved valve will preclude the necessity for repetitive replacement of the attachment screws.

Since this condition is likely to exist or develop on other airplanes of this same type design, an AD is proposed which would supersede AD 89-22-02 with a new AD that would require all Whittaker Controls PTU S/O valves, part number (P/N) 240695, to be removed from service and replaced with Whittaker Controls PTU S/O valves, P/N 240695-1, or modified to the P/N 240695-1 configuration in accordance with the service bulletin previously described.

There are approximately 450 Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and Model MD-88 series airplanes of the affected design in the worldwide fleet. It is estimated that 374 airplanes of U.S. registry would be affected by this AD, that it would take approximately 5 manhours per airplane to accomplish the required actions, and that the average labor cost would be \$40 per manhour. The cost of parts to accomplish the required modification is estimated to be \$5,830 per airplane. Based on these figures the total cost impact of the AD on U.S. operators is estimated to be \$2,255,220.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by superseding AD 89-22-02, Amendment 39-6356 (54 FR 41960; October 13, 1989),

with the following new airworthiness directive:

McDonnell Douglas: Applies to Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and Model MD-88 series airplanes equipped with Whittaker Controls power transfer unit shut off (PTU S/O) valve, part number (P/N) 240695, certificated in any category. Compliance required as indicated, unless previously accomplished.

To prevent dual hydraulic system failure, accomplish the following:

A. Prior to the accumulation of 2,000 landings, or within 200 landings after October 23, 1989 (the effective date of Amendment 39-6356), whichever occurs later, unless accomplished within the last 1,800 landings, replace the PTU S/O valve body attachment screws, P/N NAS 1101E-14, with new screws of the same part number, in accordance with the installation instructions of McDonnell Douglas Telex MD-80-COM-24/JCE, dated September 18, 1989. Thereafter, replace the attachment screws at intervals not to exceed 2,000 landings. Replacement of Whittaker Controls PTU S/O valve, P/N 240695, with PTU S/O valve, P/N 240695-1, constitutes terminating action for the requirements of this paragraph.

B. Within 90 days after the effective date of this amendment, replace all Whittaker Controls PTU S/O valves, P/N 240695, with Whittaker Controls PTU S/O valves, P/N 240695-1; or modify the valves, P/N 240695, to the P/N 240695-1 configuration in accordance with Whittaker Controls Service Bulletin 240695-29-1, dated March 15, 1988.

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

Note: The request should be forwarded through an FAA Principal Maintenance Inspector, (PMI), who may either concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base in order to comply with the requirements of this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90801; Attn: Business Unit Manager, Technical Publications, C1-HCW (54-60); or Whittaker Controls, 12838 Saticoy Street, North Hollywood, California 91605. These documents may be examined at the FAA, Northwest Mountain Region, Transport Airplane Directorate, 17900 Pacific Highway South, Seattle, Washington, or at the Los Angeles Aircraft Certification Office,

3229 East Spring Street, Long Beach, California.

Issued in Seattle, Washington, on February 9, 1990.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-4486 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 90-CE-06-AD]

Airworthiness Directives; Piper PA-34 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to adopt a new Airworthiness Directive (AD), applicable to Piper PA-34 series airplanes, which will require replacement of the aluminum rudder torque tube fitting with a steel fitting. Cracks have developed in the mounting holes of the aluminum rudder torque tube fittings. This replacement will prevent failure of the torque tube fitting and possible loss of rudder control.

DATES: Comments must be received on or before April 17, 1990.

ADDRESSES: Piper SB 899, dated February 10, 1989, applicable to this AD may be obtained from the Piper Aircraft Corporation, 2926 Piper Drive, Vero Beach, Florida 32960; Telephone (407) 567-4361. This information also may be examined at the Rules Docket at the address below. Send comments on the proposal in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-06-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT:

Dave Cundy, Aerospace Engineer, Airframe Branch, Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210C, Atlanta, Georgia 30349; Telephone (404) 991-2910.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in

triplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-06-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has determined that cracks have developed in the mounting holes of the aluminum rudder torque tube fitting on Piper PA-34 series airplanes that, if not corrected, could cause failure of the rudder control system. Since the condition described is likely to exist or develop in other Piper PA-34 series airplanes of the same design, the proposed AD would require replacement of the aluminum rudder torque tube fitting with a steel fitting in accordance with Piper Service Bulletin SB 899, dated February 10, 1989.

The FAA has determined there are approximately 2,500 airplanes affected by the proposed AD. The cost of replacing the rudder torque tube fitting on these airplanes as required by the proposed AD is estimated to be \$150 per airplane or a total estimated cost of \$375,000. The cost of compliance with the proposed AD is so small that the expense of compliance will not have a significant financial impact on any small entities operating these airplanes. The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Therefore, I certify that this action (1) is not a "major

rule" under the provisions of Executive Order 12291; (2) is not "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421, and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.85.

§ 39.13 [Amended]

2. Section 39.13 is amended by superseding AD 81-12-04 with the following new AD:

Piper: Applies to PA-34-200 (Serial Numbers 34-7250001 through 34-7450220), PA-34-200T (Serial Numbers 34-7570001 through 34-8170092, and PA-34-220T (Serial Numbers 34-8133001 through 34-8533012) airplanes certificated in any category. Compliance: Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished. To prevent possible loss of the rudder control system, accomplish the following:

(a) Modify the rudder torque tube assembly in accordance with Piper Service Bulletin (SB) 899, dated February 10, 1989.

(b) The requirements of Airworthiness Directive (AD) 81-12-04 are no longer applicable upon compliance with paragraph (a) this AD.

(c) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(d) An alternate method of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210C, Atlanta, Georgia 30349.

Note: The request should be forwarded through an FAA Maintenance Inspector, who may add comments and send it to the Manager, Atlanta Aircraft Certification

Office. All persons affected by this directive may obtain copies of the document referred to herein upon request to the Piper Aircraft Corporation, 2926 Piper Drive, Vero Beach, Florida 32960; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

This amendment supersedes AD 81-12-04, Amendment 39-4129.

Issued in Kansas City, Missouri, on February 13, 1990.

Barry D. Clements,

Manager, Small Airplane Directorate,
Aircraft Certification Service.

[FR Doc. 90-4488 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 90-CE-03-AD]

Airworthiness Directives; Piper Model PA-38-112 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to adopt a new Airworthiness Directive (AD), applicable to Piper Model PA-38-112 airplanes, which will supersede AD 83-05-04. This action will require modification of the main landing gear system. Damage in the main landing gear system has occurred and if not corrected, may result in separation of the landing gear. This modification will prevent such landing gear failures.

DATES: Comments must be received on or before April 11, 1990.

ADDRESSES: Piper Service Bulletin (SB) 673B, dated October 2, 1986, applicable to this AD may be obtained from the Piper Aircraft Corporation, 2926 Piper Drive, Vero Beach, Florida 32960; Telephone (407) 567-4361. This information also may be examined at the Rules Docket at the address below. Send comments on the proposal in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-03-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT: Charles L. Perry, Aerospace Engineer, Airframe Branch, Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210C, Atlanta, Georgia 30349; Telephone (404) 991-2910.

SUPPLEMENTARY INFORMATION: Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of this proposal, will be filed in the Rules Docket.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90-CE-03-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Discussion

In 1980, the FAA issued AD 80-11-09, Amendment 39-3779 (45 FR 35308) which referenced Piper SB 673, dated January 16, 1980. This action applicable to Piper Model PA-38-112 airplanes required shorter length bolts on the landing gear clamps.

Subsequently, Piper issued SB 673A, dated October 20, 1982, recommending replacement of all bolts on the landing gear. AD 83-05-04, Amendment 39-4581 (48 FR 9516) was issued on this subject. These actions have not reduced the occurrences of landing gear bolt failures. Piper issued SB 673B, dated October 2, 1986, that recommends modification to the main landing gear system on Piper Model PA-38-112 airplanes. This notice proposed to require modifications in accordance with SB 673B to prevent possible landing gear failures. Since the condition described is likely to exist or develop in other Piper Model PA-38-112 airplanes of the same design, the proposed AD would require the replacement of existing bolts with the applicable Piper Main Landing Gear Bolt Replacement Kit, either Part Number 765-171 or 765-172, on these Model airplanes.

The FAA has determined there are approximately 2,500 airplanes affected by the proposed AD. The cost of modifying these airplanes as required by the proposed AD is estimated to be \$100 per airplane. The total cost is estimated to be \$250,000. The cost of complying with the proposal is so small that it will not have a significant financial impact on any small entities owning or operating the affected airplanes.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposed to amend part 39 of the Federal Aviation Regulations (14 CFR 39.13) as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.85.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new AD:

Piper: Applies to Model PA-38-112 (all serial numbers) airplanes certificated in any category.

Compliance: Required within the next 100 hours time-in-service after the effective date of this AD, unless already accomplished.

To preclude loosening of the landing gear attachments and possible gear separation, accomplish the following:

(a) Modify the main landing gear system in accordance with Piper Service Bulletin 673B, dated October 2, 1986.

(b) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(c) An alternate method of compliance or adjustment of the compliance time which provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office, 1669 Phoenix Parkway, Suite 210C, Atlanta, Georgia 30349.

Note.—The request should be forwarded through an FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office. All persons affected by this directive may obtain copies of the document referred to herein upon request to the Piper Aircraft Corporation, 2928 Piper Drive, Vero Beach, Florida 32960; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

This Amendment supersedes AD 83-05-04, Amendment 39-4581.

Issued in Kansas City, Missouri, on February 9, 1990.

Don C. Jacobsen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 90-4487 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[PS-065-89]

RIN 1545-AO02

Limitations on Passive Activity Losses and Credits—Miscellaneous

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: In the Rules and Regulations portion of this issue of the *Federal Register*, the Internal Revenue Service is issuing temporary regulations amending previously issued temporary regulations on the limitations on passive activity losses and passive activity credits. The text of those temporary regulations also serves as the comment document for this notice of proposed rulemaking.

DATES: These regulations are proposed to be effective for taxable years beginning after December 31, 1986.

Comments and requests for a public hearing must be delivered or mailed by May 29, 1990.

ADDRESSES: Send comments and requests for a public hearing to: Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Room 4229, Washington, DC 20044 (Attn: CC:CORP:T:R (PS-065-89)).

FOR FURTHER INFORMATION CONTACT: Robert Stoddart at 202-566-4751 (not a toll-free number), or at Internal Revenue Service, 1111 Constitution Avenue, NW., Room 4429, Washington, DC 20224 (Attn: CC:CORP:T:R (PS-065-89)).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations in the Rules and Regulations portion of this issue of the *Federal Register* amend § 1.469-2T(c)(7) and (d)(2) in title 26 of the Code of Federal Regulations. Section 1.469-2T(c)(7) excludes certain gross income from passive activity gross income. Section 1.469-2T(d)(2) excludes certain deductions from passive activity deductions. This document proposes to adopt the temporary regulations as final regulations. Accordingly, the text of the temporary regulations serves as the comment document for this notice of proposed rulemaking. In addition, the preamble to the temporary regulations explains the proposed and temporary rules.

For the text of the temporary regulations, see T.D. 8290, published in the Rules and Regulations portion of this issue of the *Federal Register*.

Special Analyses

It has been determined that these proposed rules are not major rules as defined in Executive Order 12291. Therefore, a Regulatory Impact Analysis is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, an initial Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, these regulations will be submitted to the Administrator of the Small Business Administration for comment on their impact on small business.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted, consideration will be given to any written comments that are submitted (preferably a signed original and seven copies) to the Internal Revenue Service. All comments will be

available for public inspection and copying. A public hearing will be scheduled and held upon written request by any person who submits written comments on the proposed rules. Notice of the time and place for the hearing will be published in the *Federal Register*.

Drafting Information

The principal author of these proposed regulations is Michael J. Grace, Office of the Assistant Chief Counsel (Passthroughs and Special Industries), Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations on matters of both substance and style.

List of Subjects in 26 CFR 1.441-1—1.483-2

Accounting, Deferred compensation plans, Income taxes.

Fred T. Goldberg, Jr.,

Commissioner of Internal Revenue.

[FR Doc. 90-4455 Filed 2-23-90; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD 6010.8-R]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Multiple Updates to DoD 6010.8-R

AGENCY: Office of the Secretary, DoD.

ACTION: Proposed rule.

SUMMARY: This proposal incorporates multiple revisions to DoD 6010.8-R (32 CFR part 199) regarding CHAMPUS. Incorporation of these revisions will update the Regulation and clarify Program guidelines.

DATES: Written public comments must be received on or before March 30, 1990.

ADDRESSES: Office of the Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Office of Program Development, Aurora, CO 80045-6900.

FOR FURTHER INFORMATION CONTACT: Rose Sabo, M.P.A., Health Care Policy Analyst, Office of Program Development, OCHAMPUS, telephone (303) 361-4014.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-7834, appearing in the *Federal Register* on April 4, 1977 (42 FR 17972), the Office of the Secretary of Defense published its regulation, DoD 6010.8-R,

"Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as part 199 of this title. 32 CFR part 199 (DoD 6010.8-R) was reissued in the *Federal Register* on July 1, 1986 (51 FR 24008).

This proposal incorporates multiple revisions to the regulation for the purpose of clarifying, updating and incorporating previously omitted provisions. Primary changes include:

- Incorporation of a definition for abortions and updating that section to reflect current legislative restrictions. This revision also incorporates into the Regulation the recommendation of the DoD Inspector General to require a signed certification by the attending physician that the abortion was performed because a life-endangering condition existed. The definition of abortion and the benefit language was formulated based on the legislative provision, following an extensive review of the legislative history on abortions. It was clear that Congress intended that federal funds be extended for abortions only in those cases where the mother's life was in danger. Language which would have permitted coverage of abortions for fetal deformities or for a mental or physical impairment of the mother was discussed but not adopted by Congress.

- Clarification that the exclusion for artificial insemination encompasses in-vitro fertilization and gamete intrafallopian transfer and all other noncoital reproductive technologies. With the recent technological advances in the area of infertility, other types of noncoital reproductive techniques have been developed such as in-vitro fertilization and gamete intrafallopian transfer. On numerous occasions, CHAMPUS has been asked to provide clear guidance on coverage policy for these new technologies. We have interpreted our current exclusion on artificial insemination to apply to these new noncoital reproductive techniques since, as with artificial insemination, they do not treat or cure the patient's underlying condition. At the time the original exclusion of artificial insemination was published, it was the only noncoital reproductive technology in general use. This change is intended to clarify the original intent to exclude all such noncoital reproductive technologies and update the exclusion consistent with current medical technology.

- Elimination of undue financial hardship created by cost-sharing emergency room services on an outpatient basis when the beneficiary dies prior to formal admission. This change allows inpatient cost-sharing of

emergency room services in situations where emergency room services are provided by a hospital, and the intent is to admit the patient once stabilized, but death occurs before the patient can be formally admitted. We are making this change to allow for inpatient cost-sharing by deleting the last sentence of the current definition of "inpatient."

- Inclusion of the geographical area of Guam within the Dependents Dental Plan. The geographical area is being expanded to include Guam so dependents stationed in that area can have access to the Dependents Dental Plan.

- Revisions identifying professional review organizations (PROs) as sources of initial denial determinations of CHAMPUS claims. These are corollary changes based on a previous amendment to the Regulation identifying PROs as sources of initial denial determinations of CHAMPUS claims.

- Expansion of the definition of "attending physician" to include other authorized individual professional providers. This will allow for other authorized individual professional providers such as podiatrists, clinical psychologists, oral surgeons, etc., to be treated as an attending physician, as long as the provider is operating within the confines of the scope of practice of that particular discipline.

- Expansion of the definition of "surgical assistant." This revision will allow a dentist or podiatrist to assist when the surgery is of sufficient complexity to warrant an assistant.

- Clarification that the requirement for preauthorization could apply to any or all mental health services. Currently the Regulation discusses preauthorization and the type of documentation required. Preauthorization is a decision issued by the Director, OCHAMPUS, or a designee, that CHAMPUS benefits are payable for certain services that a beneficiary has not yet received. This revision identifies mental health care as a type of care for which preauthorization could be required. It also removes the provision limiting the initial preauthorization to 30 days of inpatient care.

- Updating of several provisions to clarify that individual authorized professional providers can receive CHAMPUS reimbursement for providing certain services within the Regulation, as long as acting within the scope of their licensure. This revision will preclude denial of services when otherwise covered and ordered by an authorized provider acting within the scope of his or her particular discipline. For example, physical therapy when

medically necessary and ordered by a podiatrist would be covered.

- Clarification of the CHAMPUS requirement that all providers be licensed or certified by the state or locality in which they practice. CHAMPUS has always required all providers meet the licensing or certification provided in their particular locality. This requirement pertains even if the certification is offered on a voluntary basis by the state. It is mandatory for a provider to be certified in order to become a CHAMPUS-authorized provider.

- Clarification that the exclusion for counseling services encompasses nutritional counseling, diabetic self-help counseling, diabetic self-education programs, stress management, life style modification, etc.

- Clarification that CHAMPUS does not cover self-help courses or items or charges related to exercising or relaxation, such as spas, whirlpools, hot tubs, swimming pools, and other such items. Even though these items may have some therapeutic value, they are not medical in nature and are not intended to be included within the scope of medical benefits of CHAMPUS.

- Clarification that a freestanding ambulatory surgical center is not CHAMPUS authorized to provide childbirth services unless also authorized as a CHAMPUS-approved birthing center. Recently a question was raised as to whether an ambulatory surgery center authorized under the criteria contained in § 199.6(b)(4)(x)(B)(1) would have to also meet the criteria at § 199.6(b)(4)(xi) as an authorized birthing center in order to provide non-emergency child birth services. In order to avoid any uncertainty as to the intended role of the freestanding ambulatory surgery center and the birthing center institutional provider within the CHAMPUS benefit structure, a clarification has been added to the ambulatory surgery provider certification section. This provision explains that a childbirth procedure provided by a CHAMPUS-approved freestanding ambulatory surgical center shall not be cost-shared unless the surgical center is also a CHAMPUS-approved birthing center. It is the intent of the institutional provider certification provisions of the CHAMPUS regulation to limit institutional charges related to a childbirth procedure to the institutional provider hospital and birthing center categories. This limitation is consistent with the limited circumstances within which delivery as an ambulatory procedure is appropriate.

Regulatory Procedures

Executive Order 12291 requires that a regulatory impact analysis be performed on any major rule. A "major rule" is defined as one which would result in an annual effect on the national economy of \$100 million or more or have other substantial impacts.

The Regulatory Flexibility Act (RFA) requires that each federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues regulations which would have a significant impact on a substantial number of small entities.

This proposed rule is not a major rule under Executive Order 12291. The changes set forth in this proposed rule are minor revisions to previously published final rules. In addition, this proposed rule will have a very minor impact and will not significantly affect a substantial number of small entities. In light of the above, no regulatory impact analysis is required.

Many of the changes in the proposed rule are policy clarifications that the Program has been operating under for some time. The remainder will become effective when published as a final rule.

This proposed rule does not impose information collection requirements. Therefore, it does not need to be reviewed by the Executive Office of Management and Budget under the authority of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3511).

List of Subjects in 32 CFR Part 199

Claims, Handicapped, Health insurance, Military personnel.

PART 199—[AMENDED]

Accordingly, 32 CFR part 199 is amended as follows:

1. The authority citation for part 199 continues to read as follows:

Authority: 10 U.S.C. 1079, 1086, 5 U.S.C. 301.

2. Section 199.1 is amended by revising the first sentence of paragraph (p)(1)(i) to read as follows:

§ 199.1 [Amended]

(p) * * *

(1) * * *

(i) The external partnership agreement is an agreement between a military treatment facility Commander and CHAMPUS-authorized institutional provider, enabling Uniformed Services health care personnel to provide otherwise covered medical care to CHAMPUS beneficiaries in a civilian facility. * * *

3. Section 199.2 is amended by adding the definition of abortion in alphabetical order and revising the following definitions to read as follows:

§ 199.2 [Amended]

(b) * * *

Abortion. Abortion means the intentional termination of a pregnancy by artificial means done for a purpose other than that of producing a live birth. A spontaneous, missed or threatened abortion or termination of an ectopic (tubal) pregnancy are not included within the term "abortion" as used herein.

Attending Physician. The physician (or other authorized individual professional provider) who has the primary responsibility for the medical diagnosis and treatment of the patient. A consultant, an assistant-at-surgery or an anesthesiologist is not an attending physician. Under very extraordinary circumstances, because of the presence of complex, serious, and multiple, but unrelated, medical conditions, a patient may have more than one attending physician concurrently rendering medical treatment during a single period of time.

Durable Medical Equipment.

Equipment for which the allowable charge is over \$100 and which:

- (1) Is medically necessary for the treatment of a covered illness or injury;
- (2) Improves the function of a malformed, diseased, or injured body part, or retards further deterioration of a patient's physical condition;
- (3) Is primarily and customarily designed and intended to serve a medical purpose rather than primarily for transportation, comfort, or convenience;
- (4) Can withstand repeated use;
- (5) Provides the medically appropriate level of performance and quality for the medical condition present (that is, nonluxury and nondeluxe); and
- (6) Is other than spectacles, eyeglasses, contact lenses, or other optical devices, hearing aids, or other communication devices.
- (7) Is other than exercise equipment, spas, whirlpools, hot tubs, swimming pools or other such items.

External Partnership Agreement. The external partnership agreement is an agreement between a military treatment facility commander and a CHAMPUS authorized institutional provider, enabling Uniformed Services health care personnel to provide otherwise covered

medical care to CHAMPUS beneficiaries in a civilian facility under the Military-Civilian Health Services Partnership Program. Authorized costs associated with the use of the facility will be financed through CHAMPUS under normal cost-sharing and reimbursement procedures currently applicable under the basic CHAMPUS.

Inpatient. A patient who has been admitted to a hospital or other authorized institution for bed occupancy for purposes of receiving necessary medical care, with the reasonable expectation that the patient will remain in the institution at least 24 hours, and with the registration and assignment of an inpatient number or designation. Institutional care in connection with in and out (ambulatory) surgery is not included within the meaning of inpatient whether or not an inpatient number or designation is made by the hospital or other institution. If the patient has been received at the hospital, but death occurs before the actual admission occurs, an inpatient admission exists as if the patient had lived and had been formally admitted.

Laboratory and Pathological Services. Laboratory and pathological examinations (including machine diagnostic tests that produce hard-copy results) when necessary to, and rendered in connection with medical, obstetrical, or surgical diagnosis or treatment of an illness or injury, or in connection with well-baby care.

Surgical Assistant. A physician (or dentist or podiatrist) who assists the operating surgeon in the performance of a covered surgical service when such assistance is certified as necessary by the attending surgeon, when the type of surgical procedure being performed is of such complexity and seriousness as to require a surgical assistant, and when interns, residents, or other house staff are not available to provide the surgical assistance services in the specialty area required.

4. Section 199.4 is amended by revising paragraph (a)(11)(ii); redesignating (a)(11)(iii) as paragraph (a)(11)(iv) and adding a new paragraph (a)(11)(iii); revising (c)(3)(iii) introductory text, (c)(3)(vi), (c)(3)(ix) introductory text and first sentence of paragraph (c)(3)(x)(A); (d)(1) introductory text; (d)(3)(ii)(A) introductory text; (d)(3)(vi) introductory text; (e)(2); (e)(3)(i)(B)(3); (g)(34); (g)(39); (g)(42); and (g)(43) to read as follows:

§ 199.4 [Amended]

(a) * * *

(11) * * *

(ii) *Admissions to authorized institutions requiring preauthorization.* When the Director, OCHAMPUS, requires preauthorization to an inpatient facility, the request for preauthorization is processed by OCHAMPUS or a designee. If the beneficiary elects to proceed with an admission prior to receiving written preauthorization from OCHAMPUS, authorization may be requested subsequently. If the stay in the institution is determined to be appropriate under the provisions of this Regulation, the Director, OCHAMPUS, or a designee, shall authorize benefits retroactively to the date of admission to the institution. If the stay is determined not to qualify under the provisions of this Regulation, the Director, or a designee, shall deny benefits as of the date the care failed to meet the requirements for coverage.

(iii) *Documentation for preauthorization-approved treatment plan.* A request for preauthorization described in paragraph (a)(11) of this section, requires submission of a detailed treatment plan, in accordance with guidelines and procedures issued by the Director, OCHAMPUS.

(c) * * *

(3) * * *

(iii) *Need for surgical assistance.* Surgical assistance is payable only when the complexity of the procedure warrants a surgical assistant (other than the surgical nurse or other such operating room personnel), subject to utilization review. In order for benefits to be extended for surgical assistance service, the primary surgeon may be required to certify in writing to the nonavailability of a qualified intern, resident, or other house physician. When a claim is received for a surgical assistant involving the following circumstances, special review is required to ascertain whether the surgical assistance service meets the medical necessity and other requirements of paragraph (c) of this section.

(vi) *Inpatient care, concurrent.* Concurrent inpatient care by more than one individual professional provider is covered if required because of the severity and complexity of the beneficiary's condition or because the beneficiary has multiple conditions that require treatment by providers of different specialties. Any claim for concurrent care must be reviewed

before extending benefits in order to ascertain the condition of the beneficiary at the time the concurrent care was rendered. In the absence of such determination, benefits are payable only for inpatient care rendered by one attending physician or other authorized individual professional provider.

(ix) *Treatment of mental disorders.* CHAMPUS benefits for the treatment of mental disorders are payable for beneficiaries who are outpatients or inpatients of CHAMPUS-authorized general or psychiatric hospitals, RTCs, or specialized treatment facilities, as authorized by the Director, OCHAMPUS, or a designee. All such services are subject to review for medical or psychological necessity and for quality of care. The Director, OCHAMPUS, reserves the right to require preauthorization of mental health services. Preauthorization may be conducted by the Director, OCHAMPUS, or a designee.

(x) * * *

(A) *Physical therapy.* To be covered, physical therapy must be related to a covered medical condition. If performed by other than a physician, a physician (or other authorized individual professional provider acting within the scope of their license) shall refer the patient for treatment and supervise the physical therapy.

(d) * * *

(1) *General.* Benefits may be extended for the allowable charge of those other covered services and supplies described in paragraph (d) of this section, which are provided in accordance with good medical practice and established standards of quality by those other authorized providers described in § 199.6 of this Regulation. Such benefits are subject to all applicable definitions, conditions, limitations, or exclusions as otherwise may be set forth in this or other chapters of this Regulation. To be considered for benefits under paragraph (d) of this section, the described services or supplies must be prescribed and ordered by a physician. Other authorized individual professional providers acting within their scope of licensure may also prescribe and order these services and supplies unless otherwise specified in paragraph (d) of this section. For example, durable medical equipment and cardiorespiratory monitors can only be ordered by a physician.

(3) * * *

(ii) * * *

(A) *Scope of benefit.* Subject to the exceptions in paragraphs (B) and (C) below, only durable medical equipment (DME) which is ordered by a physician for the specific use of the beneficiary, and which complies with the definition of "Durable Medical Equipment" in § 199.2 of this part, and which is not otherwise excluded by this Regulation qualifies as a Basic Program benefit.

(vi) *Prescription drugs and medicines.* Prescription drugs and medicines that by U.S. law require a physician's or other authorized individual professional provider's prescription (acting within the scope of their license) and that are ordered or prescribed by a physician or other authorized individual professional provider (except that insulin is covered for a known diabetic, even though a prescription may not be required for its purchase) in connection with an otherwise covered condition or treatment, including Rh immune globulin.

(e) * * *

(2) *Abortion.* The statute under which CHAMPUS operates prohibits payment for abortions with one single exception—where the life of the woman would be endangered if the fetus were carried to term. Covered abortion services are limited to medical services and supplies only. Physician certification is required attesting that the abortion was performed because the woman was suffering from a condition that would have endangered her life if the fetus were carried to term. Abortions performed for suspected or confirmed fetal abnormality (e.g., anencephalic) or for mental health reasons (e.g., threatened suicide) do not fall within the exceptions permitted within the language of the statute and are not authorized for payment under CHAMPUS.

Note: Covered abortion services are limited to medical services or supplies only for the single circumstance outlined above and do not include abortion counseling or referral fees. The Director, OCHAMPUS, or a designee, shall issue guidelines describing the policy on abortion.

(3) *Family planning.* * * *

(i) * * *

(B) * * *

(3) *Services and supplies related to noncoital reproductive technologies, including but not limited to artificial insemination (including any costs related to donors or semen banks), in-*

vitro fertilization and gamete intrafallopian transfer.

* * * * *

(g) * * *

(34) *Noncoital reproductive procedures including artificial insemination, in-vitro fertilization, gamete intrafallopian transfer and all other such reproductive technologies.*

Services and supplies related to artificial insemination (including semen donors and semen banks), in-vitro fertilization, gamete intrafallopian transfer and all other noncoital reproductive technologies.

* * * * *

(39) *Counseling.* Educational counseling, nutritional counseling, vocational counseling, and counseling for socio-economic purposes. Counseling services that are not medically necessary in the treatment of a diagnosed medical condition, i.e., diabetic self-education programs, stress management, life style modification, etc. Services provided by a marriage and family, pastoral or mental health counselor in the treatment of a mental disorder are covered only as specifically provided in § 199.6. Services provided by alcoholism rehabilitation counselors are covered only when rendered in a CHAMPUS-authorized alcohol rehabilitation facility and only when the cost of those services is included in the facility's CHAMPUS-determined allowable cost-rate.

* * * * *

(42) *Education or training.* Self-help, academic education or vocational training services and supplies, unless the provisions of § 199.4, paragraph (b)(1)(v) relating to general or special education, apply.

(43) *Exercise/relaxation/comfort devices.* Exercise equipment, spas, whirlpools, hot tubs, swimming pools, health club membership or other such charges or items.

* * * * *

5. Section 199.6 is amended by redesignating paragraphs (b)(3) (iii), (iv) and (v) as (b)(3) (iv), (v) and (vi) and adding a new paragraph (b)(3)(iii); adding a new paragraph (b)(4)(x)(B)(1)(v); and revising the introductory text of (c)(1) and paragraph (c)(1)(i); (c)(3)(iii)(A); (c)(3)(iii)(G)(2); and (c)(3)(iv)(A)(4)(i) to read as follows:

§ 199.6 [Amended]

* * * * *

(b) * * *

(3) * * *

(iii) *Notice of peer review rights.* All health care facilities subject to the DRG-based payment system shall provide CHAMPUS beneficiaries, upon

admission, with information about peer review including their appeal rights. The notices shall be in a form specified by the Director, OCHAMPUS.

* * * * *

(4) * * *

(x) * * *

(B) * * *

(1) * * *

(v) A childbirth procedure provided by a CHAMPUS-approved free-standing ambulatory surgical center shall not be cost-shared by the CHAMPUS unless the surgical center is also a CHAMPUS-approved birthing center institutional provider as established by the birthing center provider certification requirement of this Regulation.

* * * * *

(c) * * *

(1) *General.* Individual professional providers of care are those providers who bill for their services on a fee-for-service basis and are not employed or contracted with by an institutional provider. This category also includes those individuals who have formed professional corporations or associations qualifying as a domestic corporation under § 301.7701-5 of the Internal Revenue Service Regulations. Such individual professional providers must be licensed or certified by the local licensing or certifying agency for the jurisdiction in which the care is provided; or in the absence of state licensure/certification, be eligible for full clinical membership in the appropriate national or professional association that sets standards for the profession of which the provider is a member. Services provided must be in accordance with good medical practice and prevailing standards of quality of care and within recognized utilization norms.

(i) *Licensing/certification required, scope of license.* Otherwise covered services shall be cost-shared only if the individual professional provider holds a current, valid license or certification to practice his or her profession in the jurisdiction where the service is rendered. Such services must be within the scope of the license, certification or other legal authorization. Licensure or certification is required to be a CHAMPUS authorized provider if offered in the jurisdiction where the service is rendered, whether such licensure or certification is required by law or available on a voluntary basis.

* * * * *

(3) * * *

(iii) * * *

(A) *Clinical psychologist.* For purposes of CHAMPUS, a clinical psychologist is an individual who is

licensed or certified by the state for the independent practice of psychology and:

(1) Possesses a doctoral degree in psychology from a regionally accredited university; and

(2) Has had 2 years of supervised clinical experience in psychological health services of which at least 1 year is post-doctoral and 1 year (may be the post-doctoral year) is in an organized psychological health service training program; or

(3) Is listed in the National Register of Health Service Providers in Psychology.

* * * * *

(G) * * *

(2) Has at least a master's degree in nursing from a regionally accredited institution with a specialization in psychiatric and mental health nursing; and

* * * * *

(iv) * * *

(A) * * *

(4) * * *

(i) Recognized graduate professional education with the minimum of an earned master's degree from a regionally accredited educational institution in an appropriate behavioral science field, mental health discipline.

* * * * *

6. Section 199.10 is amended by redesignating paragraph (a)(1)(i)(C) through (E) as paragraphs (D) through (F) and adding a new paragraph (a)(1)(i)(C); revising paragraphs (a)(1)(ii); first sentence of paragraph (a)(7)(iv)(C); (a)(8) introductory text, (a)(8)(i) introductory text, (a)(8)(i) (A) and (B); (b)(1) through (b)(3); (b)(4) introductory text; and (c) to read as follows:

§ 199.10 [Amended]

* * * * *

(a) * * *

(1) * * *

(i) * * *

(C) CHAMPUS peer review organizations shall notify providers and fiscal intermediaries of a denial determination on a claim.

* * * * *

(ii) *Effect of initial determination.* The initial determination is final unless appealed in accordance with this chapter, or unless the initial determination is reopened by OCHAMPUS, the CHAMPUS contractor, or the CHAMPUS peer review organization.

* * * * *

(7) * * *

(iv) * * *

(C) At least one of the claims so combined has had a reconsideration decision issued by OCHAMPUSEUR, a

CHAMPUS contractor, or a CHAMPUS peer review organization.

(8) *Levels of appeal.* The sequence and procedures of a CHAMPUS appeal vary, depending on whether the initial determination was made by OCHAMPUS, OCHAMPUSEUR, a CHAMPUS contractor, or a CHAMPUS peer review organization.

(i) *Appeal levels for initial determination made by OCHAMPUSEUR, CHAMPUS contractor, or CHAMPUS peer review organization.* (A) Reconsideration by OCHAMPUSEUR, CHAMPUS contractor, or CHAMPUS peer review organization.

(B) Formal review by OCHAMPUS (except for CHAMPUS peer review organization reconsiderations).

(b) *Reconsideration.* Any party to the initial determination made by OCHAMPUSEUR, the CHAMPUS contractor, or a CHAMPUS peer review organization may request a reconsideration.

(1) *Requesting a reconsideration—(i) Written request required.* The request must be in writing, shall state the specific matter in dispute, and shall include a copy of the notice of initial determination (such as the CEOB form) made by OCHAMPUSEUR, the CHAMPUS contractor, or the CHAMPUS peer review organization.

(ii) *Where to file.* The request shall be submitted to the office that made the initial determination (i.e., OCHAMPUSEUR, the CHAMPUS contractor, or the CHAMPUS peer review organization) or any other CHAMPUS contractor designated in the notice of initial determination.

(iii) *Allowed time to file.* The request must be mailed within 90 days after the date of the notice of initial determination.

(iv) *Official filing date.* A request for a reconsideration shall be deemed filed on the date it is mailed and postmarked. If the request does not have a postmark, it shall be deemed filed on the date received by OCHAMPUSEUR, the CHAMPUS contractor or the CHAMPUS peer review organization.

(2) *The reconsideration process.* The purpose of the reconsideration is to determine whether the initial determination was made in accordance with law, regulation, policies, and guidelines in effect at the time the care was provided or requested, or at the time of the initial determination and/or reconsideration decision involving a provider request for approval as an

authorized provider under CHAMPUS. The reconsideration is performed by a member of the OCHAMPUSEUR, CHAMPUS contractor, or CHAMPUS peer review organization staff who was not involved in making the initial determination and is a thorough and independent review of the case. The reconsideration is based on the information submitted that led to the initial determination, plus any additional information that the appealing party may submit or OCHAMPUSEUR, the CHAMPUS contractor, or CHAMPUS peer review organization may obtain.

(3) *Timeliness of reconsideration determination.* OCHAMPUSEUR, the CHAMPUS contractor, or CHAMPUS peer review organization normally shall issue its reconsideration determination no later than 60 days from the date of receipt of the request for reconsideration by OCHAMPUSEUR, the CHAMPUS contractor, or the CHAMPUS peer review organization.

(4) *Notice of reconsideration determination.* OCHAMPUSEUR, the CHAMPUS contractor, or the CHAMPUS peer review organization shall issue a written notice of the reconsideration determination to the appealing party at his or her last known address. The notice of the reconsideration determination must contain the following elements:

(c) *Formal Review.* Except as explained below, any party to an initial determination made by OCHAMPUS, or a reconsideration determination made by the CHAMPUS contractor or the CHAMPUS professional review organization, may request a formal review of OCHAMPUS if the party is dissatisfied with the initial or reconsideration determination unless the initial or reconsideration determination (1) is final under paragraph (b)(5) above; (2) involves the sanctioning of a provider by the exclusion, suspension or termination of authorized provider status; (3) involves a written decision issued pursuant to section 199.9, paragraph (h)(1)(iv)(A) regarding the temporary suspension of claims processing; or (4) involves a reconsideration determination by a CHAMPUS professional review organization. A hearing, but not a formal review level of appeal, may be available to a party to an initial determination involving the sanctioning of a provider or to a party to a written decision involving a temporary suspension of claims processing. A beneficiary (or an authorized representative of a beneficiary), but not a provider, may

request a hearing, but not a formal review, of a reconsideration determination made by a CHAMPUS professional review organization.

7. Section 199.13 is amended by revising paragraphs (a)(2)(i) and (e)(1)(v)(B) to read as follows:

§ 199.13 [Amended]

(a) * * *

(2) * * *

(i) *Geographic.* This section is applicable geographically within the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the U.S. Virgin Islands.

(e) * * *

(1) * * *

(v) * * *

(B) *Distribution.* The dental benefits brochure shall be printed and distributed with the assistance of the Uniformed Services health benefits advisors, major personnel centers at Uniformed Services installations, and authorized providers of care to all active duty members enrolling their dependents.

Dated: February 21, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 90-4502 Filed 2-27-90; 8:45 am]

BILLING CODE 3810-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6983]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed modified base (100-year) flood elevations listed below for selected locations in the nation. These base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program.

DATES: The period for comment will be ninety (90) days following the second

publication of the proposed rule in a newspaper of local circulation in each community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Matticks, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2767.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of modified base (100-year) flood elevations for selected locations in the nation, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

These elevations, together with the floodplain management measures

required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents. Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed modified flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood

elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the floodplain area. The local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not prescribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; or itself it has no economic impact.

List of Subjects in 44 CFR Part 67

Flood insurance, Floodplains.

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

The proposed modified base flood elevations for selected locations are:

Proposed Modified Base Flood Elevations

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Arizona.....	City of Tucson, Pima County.	Alvernon Wash.....	East Fort Lowell Road.....	*2,411	*2,411
			Approximately 50 feet downstream of Blacklidge Drive *2,422.	*2,422	*2,420
			Approximately 120 feet downstream of Monte Vista Drive.	*2,425	*2,424
			Approximately 40 feet downstream of Glenn Street.	*2,428	*2,428
Maps are available for review at 110 East Pennington Street, City Hall Annex, 3rd Floor, Tucson, Arizona.					
Send comments to The Honorable Thomas J. Volgy, Mayor, City of Tucson, 255 West Alameda, Box 27210, Tucson, Arizona 85726.					
Montana	Flathead County	Flathead River (unincorporated areas).	Approximately 800 feet upstream of Foy's Bend Lane.	*2,902	*2,902
			Approximately 4,350 feet upstream of Foy's Bend Lane.	*2,903	*2,903
			Approximately 4,800 feet upstream of Foy's Bend Lane.	*2,903	*2,903
Maps are available for review at the Flood Plain Management Section, Department of Natural Resources and Conservation, 1520 East Sixth Avenue, Helena, Montana.					
Send comments to The Honorable Allen Jacobson, Chairman, Flathead County Board of Commissioners, 800 South Main Street, Kalispell, Montana 59901.					
New York.....	West Carthage, Village, Jefferson County.	Black River	At Carthage State Dam	*732	*731
			At upstream corporate limits.....	*734	*736
Maps available for inspection at the Village Hall, 10 North Jefferson Street, West Carthage, New York.					
Send comments to The Honorable Donald F. Getman, Mayor of the Village of West Carthage, Jefferson County, 10 North Jefferson Street, West Carthage, New York 13619-1198.					
Texas	League City, City, Galveston County.	Bordens Gully.....	Downstream corporate limits	*16	*14
			Approximately 920 feet upstream of FM646	*16	*15
		Magnolia Bayou	Downstream corporate limits	*16	*14
			Approximately 800 feet down-stream of Calder Avenue.	*19	*18

Maps available for inspection at the Building Department, Suite 209, 300 West Walker Street, League City, Texas.

Send comments to Mr. Robert J. Williams, League City Floodplain Administrator, Galveston County, 300 West Walker Street, League City, Texas 77573.

Issued: February 12, 1990.

Harold T. Duryee,
Administrator, Federal Insurance
Administration.

[FR Doc. 90-4557 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-03-M

Notices

Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Littlerock Dam and Reservoir Restoration Project; California

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement for the Littlerock Dam and reservoir Restoration Project. This is in response to Littlerock Irrigation District and Palmdale Water District's proposal to raise and strengthen Littlerock Dam. Littlerock Dam is located on the Valyermo Ranger District, Angeles National Forest, Los Angeles County, California. The Districts will be cooperating agencies, and will prepare an Environmental Impact Report complying with the California Environmental Quality Act on the proposal. A joint document will be prepared. The agency invites written comments and suggestions on the scope of the analysis. In addition, the agency gives notice of the full environmental analysis and decision-making process that will occur on the proposal so that interested and affected people are aware of how they may participate and contribute to the final decision.

DATES: Comments concerning the scope of the analysis must be received by May 4, 1989.

ADDRESSES: Submit written comments and suggestions concerning the scope of the analysis to Richard L. Borden, Special Projects Coordinator, Angeles National Forest, 701 N. Santa Anita Avenue, Arcadia, CA 91006-2799.

FOR FURTHER INFORMATION CONTACT: Direct questions about the proposed action and environmental impact statement to Mr. Borden at the above address or phone (818) 574-5255, FTS 799-0255.

SUPPLEMENTARY INFORMATION: The Angeles National Forest Land and Resources Management Plan, Final Environmental Impact Statement and Record of Decision have been issued. These documents permit, under certain conditions, the issuance of Special use Permits for pipelines.

In preparing the environmental impact statement, the Forest Service will identify and consider a range of alternatives. One of these will be not strengthening or raising the existing dam.

Paul Johnson, Acting Forest Supervisor, Angeles National Forest, Arcadia, California, is the responsible official.

Public participating will be especially important at several points during the analysis. The first point is during the scoping process (40 CFR 1501.7). The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies, the proponent and other individuals or organizations who may be interested in or affected by the proposed action. This input will be used in preparation of the draft environmental impact statement (DEIS). The scoping process includes:

1. Identifying potential issues.
2. Identifying issues to be analyzed in depth.
3. Eliminating insignificant issues or those which have been covered by a relevant previous environmental analysis.
4. Exploring additional alternatives.
5. Identifying potential environmental effects of the proposed action and alternatives (i.e., direct, indirect, and cumulative effects and connected actions).
6. Determining potential cooperating agencies and task assignments.

The Forest Service and the Districts will hold the following public scoping meetings:

Tuesday, March 27, 1990, 7 p.m., Alpine School, 8244 Pearblossom Hwy, Little Rock, CA

Wednesday, April 4, 1990, 2 p.m., Palmdale Cultural Center, 704 E. Palmdale Blvd., Palmdale, CA.

The DEIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public review by December, 1990. At that time EPA will publish a notice of availability of the DEIS in the Federal Register.

The comment period on the draft environmental impact statement will be 60 days from the date the Environmental Protection Agency's notice of availability appears in the Federal Register. It is very important that those interested in this proposal participate at that time. To be the most helpful, comments on the DEIS should be as specific as possible and may address the adequacy of the statement or the merits of the alternatives discussed (see The Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3). In addition, Federal court decisions have established that reviewers of DEIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewers' position and contentions, *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978), and that environmental objections that could have been raised at the draft stage may be waived if not raised until after completion of the final environmental impact statement. *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). The reason for this is to ensure that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final.

After the comment period ends on the draft EIS, the comments will be analyzed and considered by the Forest Service in preparing the final environmental impact statements. The final EIS is scheduled to be completed by May, 1991. In the final EIS the Forest Service is required to respond to the comments received (40 CFR 1503.4). The responsible official will consider the comments, responses, environmental consequences discussed in the EIS, and applicable laws, regulations, and policies in making a decision regarding this proposal. The responsible official will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to appeal under 36 CFR 211.18.

Dated: February 22, 1990.

Paul Johnson,

Acting Forest Supervisor.

[FR Doc. 90-4561 Filed 2-27-90; 8:45 am]

BILLING CODE 3410-11-M

19 CFR 353.22(c) (1989) and 355.22(c) (1988).

Nicholas C. Tolerico,

Acting Deputy Assistant Secretary for Compliance.

[FR Doc. 90-4469 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-DS-M

[A-570-501]

Natural Bristle Paint Brushes and Brush Heads From the People's Republic of China; Preliminary Results of Antidumping Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Commerce.

ACTION: Notice of preliminary results of antidumping duty administrative review.

SUMMARY: In response to a request by an importer, the Department of Commerce has conducted an administrative review of the antidumping duty order on natural bristle paint brushes and brush heads from the People's Republic of China. The review covers one Hong Kong reseller of this Chinese merchandise to the United States and the period February 1, 1988 through January 31, 1989. The review indicates the existence of a dumping margin for this firm during the period.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATES: February 28, 1990.

FOR FURTHER INFORMATION CONTACT: J. Linnea Bucher or John R. Kugelman, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 377-3601.

SUPPLEMENTARY INFORMATION:

Background

On February 14, 1986, the Department of Commerce (the Department) published in the *Federal Register* (51 FR 5580) the antidumping duty order on natural bristle paint brushes and brush heads from the People's Republic of China. Kenco Products, Inc. (Kenco), an importer, requested in accordance with 19 CFR 353.53a(a) (1988) that we conduct an administrative review. We published a notice of initiation on April 6, 1989 (54 FR 13913). The Department has now conducted that administrative review in accordance with section 751 of the Tariff Act of 1930 (the Tariff Act).

Scope of the Review

The United States has developed a system of tariff classification based on the international harmonized system of customs nomenclature. On January 1,

1989, the United States fully converted to the Harmonized Tariff Schedule (HTS), as provided for in section 1201 *et seq.* of the Omnibus Trade and Competitiveness Act of 1988. All merchandise entered, or withdrawn from warehouse, for consumption on or after that date is now classified solely according to the appropriate HTS item number(s).

Imports covered by the review are shipments of natural bristle paint brushes and brush heads from the People's Republic of China. During the review period such merchandise was classifiable under item 750.65 of the Tariff Schedules of the United States (TSUS). This merchandise is currently classifiable under HTS item 9603.40.00. The TSUS and HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review covers the shipments of one third-country reseller in Hong Kong, Peace Target, Ltd., which purchased the natural bristle paint brushes and brush heads from the People's Republic of China and exported them to the United States. We reviewed the period February 1, 1988 through January 31, 1989. Subsequent to our initiation of the review of the Chinese manufacturer, China National Produce and Animal By-Products Import and Export Corporation, the U.S. importer, Kenco, advised the Department that it purchased all its brushes from Peace Target, Ltd., whom the Department determined was an exporter. The Department's regulations provide that an importer may request a review of only a producer or exporter of the merchandise imported by that importer (19 CFR 353.53a(a)(3)(1988)). We are satisfied that Peace Target, Ltd. is independent and unrelated to the Chinese manufacturer, sets his own prices, and sells to various export markets. In its response, Peace Target stated that the Chinese manufacturer does not know the ultimate destination of the merchandise at the time of sale. Therefore, we limited our review to all U.S. and third-country sales by Peace Target, Ltd.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act. Purchase price was based on the FOB packed price to an unrelated purchaser in the United States. We made deductions for foreign inland freight. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value the Department used third-country price, as defined in section 773 of the Tariff Act, because there were no home market sales. Third-country price was based on the CIF or FOB packed price to unrelated purchasers in France, Greece, and Israel. We made adjustments, where appropriate, for foreign inland freight and ocean freight. We made circumstance-of-sale adjustments for differences in bank charges, repacking, and remarking.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that the following margin exists for the period February 1, 1988 through January 31, 1989:

Exporter	Margin (percent)
Peace Target Ltd.....	47.1

Interested parties may request disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first workday thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues in those comments, may be filed not later than 37 days after the day of publication. The Department will publish the final results of the administrative review including the results of its analysis of issues raised in any such written comments or at a hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, as provided by section 751(a)(1) of the Tariff Act, a cash deposit of estimated antidumping duties based on the above margin shall be required on shipments of natural bristle paint brushes and brush heads from the People's Republic of China by Peace Target Ltd. For any shipments from the remaining known manufacturers/exporters not covered by this review the cash deposit will continue to be at the rate applicable to each firm (51 FR 5580, February 14, 1986). For any future entries of this merchandise from a new producer and/or exporter, not covered in this review or in the original

investigation, whose first shipments occurred after January 31, 1989, and who is unrelated to the reviewed firm or any firm which was subject to the original investigation, a cash deposit of 47.1 percent shall be required. These deposit requirements are effective for all shipments of natural bristle paint brushes and brush heads from the People's Republic of China entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22 (1989).

Dated: February 16, 1990.

Francis J. Sailer,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90-4467 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-05-M

[A-485-602]

Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From the Socialist Republic of Romania; Preliminary Results of Antidumping Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Commerce.

ACTION: Notice of preliminary results of antidumping duty administrative review.

SUMMARY: In response to a request by an importer and the petitioner, the Department of Commerce has conducted an administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished or unfinished, from the Socialist Republic of Romania (Romania). The review covers the sole exporter and the period February 6, 1987 through May 31, 1988. The review indicates the existence of dumping margins during the period.

As a result of the review, the Department has preliminarily determined to assess antidumping duties equal to the calculated differences between United States price and foreign market value.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATES: February 28, 1990.

FOR FURTHER INFORMATION CONTACT: J. Linnea Bucher or John R. Kugelman, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 377-3601.

SUPPLEMENTARY INFORMATION: Background

On June 19, 1987, the Department of Commerce (the Department) published in the Federal Register (FR 23320) an antidumping duty order on tapered roller bearings and parts thereof, finished or unfinished, from the Socialist Republic of Romania. The petitioner, The Timken Company, and an importer, Marsuda-Rodgers International, requested in accordance with § 353.53a(a) of the Commerce Regulations (1988) that we conduct an administrative review. We published the notice of initiation on July 28, 1988 (53 FR 28423), stating that we would review the period from November 7, 1986 through May 31, 1988. Because critical circumstances were not found to exist during the investigation, however, we have corrected the period of review to cover the period February 6, 1987 (the date of suspension of liquidation) through May 31, 1988. The Department has now conducted that administrative review in accordance with section 751 of the Tariff Act of 1930 (the Tariff Act).

Scope of the Review

The United States has developed a system of tariff classification based on the international system of customs nomenclature. On January 1, 1989, the United States fully converted to the Harmonized Tariff Schedule (HTS), as provided for in section 1201 *et seq.* of the Omnibus Trade and Competitiveness Act of 1988. All merchandise entered, or withdrawn from warehouse, for consumption on or after that date is now classified solely according to the appropriate HTS item number(s).

Imports covered by this review are shipments of tapered roller bearings and parts thereof, finished or unfinished. During the review period this merchandise was classifiable under items 690.30, 680.39, 681.10, and 692.32 of the Tariff Schedules of the United States. This merchandise is currently classifiable under HTS items 848.22.00, 848.29.10, 848.29.93, 848.32.04, 848.33.04 and 848.39.02. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review covers the sole Romanian exporter, Tehnoimportexport, and the period February 6, 1987 through May 31, 1988.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act. Purchase price was based on the packed, f.o.b. price to unrelated

purchasers in the U.S. We deducted the respondent's packing expenses and, as best information available, added surrogate packing expenses based on those of a Swedish antifriction bearings manufacturer related to a Portuguese manufacturer of antifriction bearings. We made adjustments, where applicable, for foreign inland freight and handling, based on Portuguese surrogate information. No other adjustments were claimed or allowed.

Foreign Market Value

We have concluded that the economy of Romania is state-controlled for purposes of this administrative review. As a result, section 773(c) of the Tariff Act (prior to amendment by the Omnibus Trade and Competitiveness Act of 1988, which does not apply to this review) requires us to use either the prices or the constructed value of such or similar merchandise sold by a country or countries whose economy is not state-controlled. Section 353.8 of the Commerce Regulations (1988) establishes a preference for determining foreign market value based upon sales prices in a non-state-controlled economy at a stage of economic development comparable to that of the state-controlled economy.

Of countries known to produce bearings, we determined that Portugal, Brazil, the Republic of Korea (Korea), Yugoslavia, and Mexico were comparable to Romania in stages of economic development. We identified and sent questionnaires to bearing producers in Mexico, Portugal, and Korea, but we received no responses. The only known producer of bearings in Brazil is related to the petitioner in this case. The relationship of this bearing producer to the petitioner might raise questions as to the propriety of the information submitted. Therefore, we did not contact this producer. Because there is an antidumping duty order on tapered roller bearings from Yugoslavia, we did not contact Yugoslav bearing producers.

Since we were unable to obtain verifiable prices or constructed value data from the potential surrogate companies in comparable economies, we used the factors of production valued in a comparable economy, as provided for in § 353.8 of the Commerce Regulations (1988), as the basis of foreign market value. We calculated constructed value based on the factors of production reported by Tehnoimportexport on behalf of the Romanian producers which account for all exports to the United States of the subject merchandise.

We obtained proprietary information from a Korean producer that would enable us to value the Romanian factors of production. However, the Korean producer refused to allow release under administrative protective order of the information it provided. Therefore, we could not use this information. Instead, we used public information provided by a Portuguese bearings producer.

We used the factors of production as submitted by the respondent and verified by the Department.

We used the following information to value the factors of production:

- We based the values for steel used to manufacture the inner and outer rings (ASIS 4118) on Eurostats statistics on all Portuguese imports of this steel;
- We based the values for steel used to make rollers and some rings (SAE 52100) on the Department's IM146 statistics of all U.S. imports of this steel;
- We based the values for steel used to make the cages (DIN 1623) on Eurostats statistics on all Portuguese exports;
- We based the steel scrap value on the price charged by a Portuguese steel producer;
- We based overhead and indirect labor costs on the costs of a company currently producing bearings in Portugal;
- We based labor rates on information supplied by the Bureau of Labor Statistics/Division of Foreign Labor Statistics, for Portugal, adjusted for inflation.

In accordance with section 773(e) of the Tariff Act we used the statutory minimum of ten percent of the sum of material and fabrication costs for general expenses, and the statutory minimum of eight percent of the sum of material costs, fabrication costs, and general expenses for profit.

We added U.S. packing to the constructed value, in accordance with section 773(e)(1)(c) of the Tariff Act. For U.S. packing we used the best information available, as described in the *United States Price* section of this notice.

Preliminary Results of Review

As a result of our review, we preliminarily determine the margin to be:

Exporter	Period	Margin (percent)
Tehnoimportexport	02/06/87-05/31/88	23.72

Interested parties may submit case briefs on these preliminary results within 30 days of the date of publication of this notice and may request

disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held as early as convenient for the parties but not later than 44 days after the date of publication of this notice, or the first workday thereafter. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 7 days after submission of the case briefs. The Department will publish the final results of this administrative review including the results of its analysis of issues raised in any case or rebuttal briefs or at a hearing.

The Department shall determine, and the Customs Service will assess, antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service.

Further, as provided in section 751(a)(1) of the Tariff Act, a cash deposit of estimated antidumping duties of 23.72 percent shall be required. These deposit requirements are effective for all shipments of Romanian tapered roller bearings and parts thereof, finished or unfinished, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22 (1989).

Dated: February 16, 1990.

Francis J. Sailer,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90-4468 Filed 2-27-90 8:45 am]

BILLING CODE 3510-DS-M

Importers and Retailers' Textile Advisory Committee; Partially Closed Meeting

A meeting of the Importers and Retailers' Textile Advisory Committee will be held on Thursday, March 29, 1990, Herbert C. Hoover Building, room H3407, 14th Street and Constitution Avenue, NW., Washington, DC 20230. (The Committee was established by the Secretary of Commerce on August 13, 1963 to advise Department officials of the effects on import markets and retailing of cotton, wool, and man-made fiber, silk blend and other vegetable fiber textiles.)

General Session: 10:30 a.m. Review of import trends, international activities, report on conditions in the market, and other business.

Executive Session: 11 a.m. Discussion of matters properly classified under Executive Order 12356 (3 CFR, 1982 Comp. p. 166) and listed in 5 U.S.C. 552b(c)(1).

The general session will be open to the public with a limited number of seats available. A Notice of Determination to close meetings or portions of meetings to the public on the basis of 5 U.S.C. 552b(c)(1) has been approved in accordance with the Federal Advisory Committee Act. A copy of the notice is available for public inspection and copying in the Central Facility Room H6628, U.S. Department of Commerce, (202) 377-3031.

For further information or copies of the minutes, contact Theresa Stuart (202) 377-3737.

Dated: February 21, 1990.

Augustine D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 90-4470 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-DR-M

Management-Labor Textile Advisory Committee; Partially Closed Meeting

A meeting of the Management-Labor Textile Advisory Committee will be held on Thursday, March 29, 1990, Herbert C. Hoover Building, Room H3407, 14th Street and Constitution Avenue, NW., Washington, DC 20230. (The Committee was established by the Secretary of Commerce on October 18, 1961 to advise officials of problems and conditions in the textile and apparel industry.)

General Session: 1:30 p.m. Review of import trends, report on conditions in the domestic market, and other business.

Executive Session: 2 p.m. Discussion of matters properly classified under Executive Order 12356 (3 CFR, 1982 Comp. p. 166) and listed in 5 U.S.C. 552b(c)(1).

The general session will be open to the public with the limited number of seats available. A Notice of Determination to close meetings or portions of meetings to the public on the basis of 5 U.S.C. 552b(c)(1) has been approved in accordance with the Federal Advisory Committee Act. A copy of the notice is available for public inspection and copying in the Central Facility Room H6628, U.S. Department of Commerce, (202) 377-3031.

For further information or copies of the minutes, contact Theresa Stuart, (202) 377-3737.

Dated: February 21, 1990.

Augustine D. Tantillo,
Chairman, Committee for the Implementation
of Textile Agreements.

[FR Doc. 90-4471 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-DR-M

National Institute of Standards and Technology

Visiting Committee on Advanced Technology

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of partially closed meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the National Institute of Standards and Technology Visiting Committee on Advanced Technology will meet Tuesday, March 13, 1990, from 8:30 a.m. to 5 p.m. The Visiting Committee on Advanced Technology is composed of nine members appointed by the Director of the National Institute of Standards and Technology who are eminent in such fields as business, research, new product development, engineering, labor, education, management consulting, environment, and international relations. The purpose of this meeting is to review and make recommendations regarding general policy for the Institute, its organization, its budget, and its programs within the framework of applicable national policies as set forth by the President and the Congress. The discussion on NIST Budget scheduled to begin at 3 p.m. and ending at 5 p.m. on March 13, 1990, will be closed.

DATES: The meeting will convene March 13, 1990, at 8:30 a.m. and will adjourn at 5 p.m.

ADDRESSES: The meeting will be held in Lecture Room A, Administration Building, National Institute of Standards and Technology, Gaithersburg, Maryland.

FOR FURTHER INFORMATION CONTACT: Dale E. Hall, Visiting Committee Executive Director, National Institute of Standards and Technology, Gaithersburg, Maryland 20899, telephone number (301) 975-2158.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the General Counsel, formally determined on September 1, 1989, that portions of the meeting of the Visiting Committee on Advanced Technology which involve examination and discussion of the

budget for the Institute may be closed in accordance with section 552(b)(9)(B) of title 5, United States Code, since the meeting is likely to disclose financial information that may be privileged or confidential.

Dated: February 22, 1990.

John W. Lyons,
Director.

[FR Doc. 90-4558 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-13-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of an Export Visa Arrangement and Certification Requirements for Certain Cotton Textile Products Produced or Manufactured in Guatemala; Correction

February 22, 1990.

In the second column on page 3080 of the notice published in the Federal Register on January 30, 1990 (55 FR 3079), correct item "4" as follows:

Change "Cat. 347/378" to "Cat. 347/348."

Auggie D. Tantillo,
Chairman, Committee for the Implementation
of Textile Agreements.

[FR Doc. 90-4513 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-DR-M

Textile and Apparel Categories With the Harmonized Tariff Schedule of the United States: Changes to the 1990 Correlation

February 22, 1990.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Changes to the 1990 correlation.

FOR FURTHER INFORMATION CONTACT: Lori E. Goldberg, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-3400.

The Correlation: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (1990) presents the harmonized tariff numbers under each of the cotton, wool, man-made fiber, silk blend and other vegetable fiber categories used by the United States in monitoring imports of these textile products and in the administration of the bilateral agreement program. The 1990 Correlation should be amended to correct the unit of measure for the following categories:

Page	Category	Unit
78	464	kilograms.
111,112	652	dozen.
122	832	dozen pairs.
132	870	kilograms.
132	871	kilogram.

Also, the conversion factors for the following categories should be changed from 3.8 to 3.76:

Page	Category
71	443
71,72	444
105,106	643
106	644
126	843
126	844

Auggie D. Tantillo,
Chairman, Committee for the Implementation
of Textile Agreements.

[FR Doc. 90-4514 Filed 2-27-90; 8:45 am]

BILLING CODE 3510-DR-M

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Federal Acquisition Regulation (FAR); Information Collection Under OMB Review

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection Transportation Requirements.

ADDRESSES: Send comments to Ms. Eyvette Flynn, FAR Desk Officer, OMB, Room 3235, NEOB, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Klein, Office of Federal Acquisition Policy, (202) 523-3775 or Mr. Owen Green, Defense Acquisition Regulatory Council, (703) 697-7268.

SUPPLEMENTARY INFORMATION: a. *Purpose:* FAR part 47 and related clauses contain policies and procedures

for applying transportation and traffic management considerations in the acquisition of supplies and acquiring transportation or transportation-related services. Generally, contracts involving transportation require information regarding the nature of the supplies, method of shipment, place and time of shipment, applicable charges, marking of shipments, shipping documents and other related items. (Examples Attached.) This information is required to ensure proper and timely shipment of government supplies.

b. *Annual reporting burden:* The annual reporting burden is estimated as follows: Respondents, 65,000; responses per respondent, 5; total annual responses, 325,000; hours per response, 23; and total response burden hours, 74,750.

OBTAINING COPIES OF PROPOSALS: Requester may obtain copies from General Services Administration, FAR Secretariat (VRS), Room 4041, Washington, DC 20405, telephone (202) 523-4755. Please cite OMB Control No. 9000-0061, Transportation Requirements.

Dated: February 14, 1990.
Margaret A. Willis,
FAR Secretariat.

[FR Doc. 90-4565 Filed 2-27-90; 8:45 am]
BILLING CODE 6820-34-M

Federal Acquisition Regulation (FAR); Information Collection Under OMB Review

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection concerning overtime.

ADDRESSES: Send comments to Ms. Eyvette Flynn, FAR Desk Officer, OMB, Room 3235, NEOB, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Ms. Linda Klein, Office of Federal Acquisition Policy, (202) 523-3775 or Mr. Owen Green, Defense Acquisition Regulatory Council, (703) 697-7268.

SUPPLEMENTARY INFORMATION: a.

Purpose: Federal solicitations normally do not specify delivery schedules that will require overtime at the Government's expense. However, when overtime is required under a contract and it exceeds the dollar ceiling established during negotiations, the contractor must request approval from the contracting officer for overtime. With the request, the contractor must provide information regarding the need for overtime. The information is used by the contracting officer to determine whether the overtime request should be granted.

b. *Annual reporting burden:* The annual reporting burden is estimated as follows: Respondents, 1270; responses per respondent, 1; total annual responses, 1270; hours per response, .5; and total response burden hours, 635.

OBTAINING COPIES OF PROPOSALS: Requester may obtain copies from General Services Administration, FAR Secretariat (VRS), Room 4041, Washington, DC 20405, telephone (202) 523-4755. Please cite OMB Control No. 9000-0065, Overtime.

Dated: February 14, 1990.
Margaret A. Willis,
FAR Secretariat.

[FR Doc. 90-4566 Filed 2-27-90; 8:45 am]
BILLING CODE 6820-34-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence Agency Advisory Board; Meeting

AGENCY: Defense Intelligence Agency Advisory Board.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Public Law 92-463, as amended by section 5 of Public Law 94-409, notice is hereby given that a closed meeting of a committee of the DIA Advisory Board has been scheduled as follows:

DATES: Thursday, 15 March 1990 (9 a.m. to 5 p.m.).

ADDRESSES: The DIAC, Bolling AFB, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel John E. Hatlelid, USAF, Chief, DIA Advisory Board Office, Washington, DC 20340-1328 (202/373-4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), title 5 of

the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on Requirements, Collection and Analysis.

Dated: February 23, 1990.

L. M. Bynum,
Alternate OSD Federal Register Liaison
Officer, Department of Defense.

[FR Doc. 90-4541 Filed 2-27-90; 8:45 am]
BILLING CODE 3810-01-M

DOD Advisory Group on Electron Devices; Advisory Committee Meeting

SUMMARY: The DoD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

DATES: The meeting will be held at 9 a.m., Thursday, 15 March 1990.

ADDRESSES: The meeting will be held at Palisades Institute for Research Services, Inc., 2011 Crystal Drive, suite 307, Arlington, Virginia 22202.

FOR FURTHER INFORMATION CONTACT: David Slater, AGED Secretariat, 201 Varick Street, New York, 10014.

SUPPLEMENTARY INFORMATION: The mission of the Advisory Group is to provide the Under Secretary of Defense for Acquisition, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The AGED meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The agenda for this meeting will include programs on Radiation Hardened Devices, Microwave Tubes, Displays and Lasers. The review will include details of classified defense programs throughout.

In accordance with section 10(d) of Public Law No. 92-463, as amended, (5 U.S.C. App. II section 10(d) (1982)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that accordingly, this meeting will be closed to the public.

Dated: February 23, 1990.

L. M. Bynum,
Alternate OSD Federal Register Liaison
Officer, Department of Defense.

[FR Doc. 90-4540 Filed 2-27-90; 8:45 am]
BILLING CODE 3810-01-M

Department of the Air Force**USAF Scientific Advisory Board; Meeting**

February 23, 1990.

The USAF Scientific Advisory Board Ad Hoc Committee Summer Study on Technology Options and Concepts for Defeating Enemy Air Defenses will meet on 15-16 March 1990 from 8 a.m. to 5 p.m. at the ANSER Corp., 1215 Jefferson Davis Hwy, Arlington, VA.

The purpose of this meeting will be to receive briefings on Air Force programs in the Electronic Combat arena. This meeting will involve discussions of classified defense matters listed in section 552b(c) of title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-4648.

Patsy J. Conner,

Air Force Federal Register, Liaison Officer.

[FR Doc. 90-4555 Filed 2-27-90; 8:45 am]

BILLING CODE 3910-01-M

USAF Scientific Advisory Board; Meeting

February 23, 1990.

The USAF Scientific Advisory Board Ad Hoc Committee Summer Study on Technology Options and Concepts for Defeating Enemy Air Defenses will meet on 15-16 March 1990 from 8 a.m. to 5 p.m. at The MITRE Corp., room 2A100, Burlington Road, Bedford MA 17031.

The purpose of this meeting will be to receive briefings on Air Force programs in the Electronic Combat arena. This meeting will involve discussions of classified defense matters listed in section 552b(c) of title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-4648.

Patsy J. Conner,

Air Force Federal Register, Liaison Officer.

[FR Doc. 90-4556 Filed 2-27-90; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army**International Through Government Bill of Lading (ITGBL) Program for Household Goods and Unaccompanied Baggage Shipments**

AGENCY: Military Traffic Management Command, Department of the Army, DOD.

ACTION: Invitation to comment on the through container concept for moving household goods shipments.

SUMMARY: The Office of the Assistant Secretary of Defense (OASD) requested Military Traffic Management Command (MTMC) to assess the feasibility of using intermodal containers, arranged through the Defense Transportation System (DTS) to ship household goods in international movements. This would supplement the current method of a single commercial carrier controlling household goods shipments through commercial ports.

If accepted, MTMC proposes a test be conducted for a 6-month period for selected channels.

a. Item 242: Rate Cycle. The current 6-month rate cycle submissions will remain in effect, to include those channels selected for the test period. Appropriate supplements to the solicitation would be made incorporating areas such as service responsibilities, performance criteria, test channels, and similar information.

b. MTMC will request a special solicitation for these test channels which will involve only origin and destination service. Rates submitted will include packing, Type II containerization in MTMC approved containers, drayage to intermodal containerization point, and stuffing into ocean containers. At destination, rates will include unstuffing, drayage to residence, and unpacking.

Kenneth L. Denton,

Alternate Army Liaison Officer with the Federal Register.

[FR Doc. 90-4560 Filed 2-27-90; 8:45 am]

BILLING CODE 3710-08-M

Corps of Engineers, Department of the Army**Intent To Prepare a Supplement to the Final Environmental Impact Statement (SEIS) for the Palm Beach-Mid-Town Segment Beach Erosion Control Project, Palm Beach County, FL**

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Notice of intent.

SUMMARY: The project consists of the restoration and maintenance at 10-year intervals of 2.5 miles of Palm Beach-Mid-Town Segment for erosion control in Palm Beach County, Florida, to protect beach front properties from wave damage and beach erosion.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and SEIS can be answered by Mr.

William J. Fonferek, (904) 791-1690, Environmental Resources Branch, Planning Division, PO Box 4970, Jacksonville, Florida 32232-0019.

SUPPLEMENTARY INFORMATION: 1. A Feasibility Study for a Beach Erosion Control Project for Palm Beach County, Florida, was authorized on 23 October 1962, by Public Law 87-878. A Final Environmental Impact Statement (FEIS) was published in April 1987. The FEIS addressed the alternative methods of accomplishing the project goals and the impacts associated with those alternatives. The local sponsor for the project is the County of Palm Beach. A Supplemental Design Memorandum and SEIS is currently being prepared for the Mid-Town segment to discuss the specific location of borrow areas and because several alternative design modifications to the authorized project are being considered. Impacts to rock outcrops and mitigation for losses of this resource from these alternatives will also be addressed in the SEIS.

2. Scoping: The scoping process will involve Federal, State, and local agencies, and other interested persons and organizations. A scoping letter dated December 5, 1989 has been sent to interested adjacent property owners, Federal, State, and local agencies requesting their comments and concerns. Any persons and organizations wishing to participate in the scoping process should contact the Corps of Engineers at the above address. Significant issues that are anticipated include concern for offshore hard bottom communities, fisheries, water quality, and endangered and threatened species. Consultation with the State Historic Preservation Officer (SHPO) during the development of the FEIS indicated that historical and archaeological resources may be present in the project area. Magnetometer surveys performed showed magnetic anomalies in some of the offshore borrow areas. Further coordination with the SHPO will occur during the scoping process for the SEIS.

3. Coordination With the U.S. Fish and Wildlife Service and the National Marine Fisheries Service will be accomplished in compliance with section 7 of the Endangered Species Act. Coordination required by applicable Federal and State laws and policies will be conducted. Since the project will require the discharge of material into waters of the United States, the discharge will comply with the provisions of section 404 of the Clean Water Act as amended.

4. SEIS Preparation: It is estimated that the final SEIS will be available to the public in July 1990.

Dated: February 5, 1990.

John O. Roach, II,

Department of the Army, Liaison Officer with the Federal Register.

[FR Doc. 90-4562 Filed 2-27-90; 8:45 am]

BILLING CODE 3710-AJ-M

Inland Waterways Users Board; Meeting

AGENCY: Corps of Engineers, Army, DOD.

ACTION: Notice of open meeting.

SUMMARY: In accordance with 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

Name of Committee: Inland Waterways Users Board

Date of meeting: March 27, 1990.

Place: U.S. Army Corps of Engineers, New Orleans District Office, Foot of Prytania Street on Leake Avenue, New Orleans, LA 70118, (Tel. (504) 862-2204), Time: 9:00 a.m. to 5:00 p.m.

Proposed Agenda:

AM Session

9:00—Business Session

—Call to Order

—Disposition of Prior Meeting Minutes

9:15—Presentations of Information to the Board

—Southwest Division Navigation Program

—Missouri River Operating Plan

10:15—Break

10:30—Corps Project Operation Procedures

10:45—Aquatic Weed Control on Navigable Streams

11:00—Construction Projects Update

11:15—Status of Appropriations Activities

11:30—Lunch

PM Session

12:30—Trust fund Analysis

12:45—Trust Fund Disbursements—Treasury Department

1:15—Systemwide Investment Planning Methodology

2:15—Break

2:45—Other Business

3:15—Public Comment Period

4:30—Instructions to Board Staff

5:00—Adjournment

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee.

FOR FURTHER INFORMATION CONTACT:

Mr. David B. Sanford, Jr., Headquarters, U.S. Army Corps of Engineers, CECW-P, Washington, DC 20314-1000 at (202) 272-0146.

Wilbur T. Gregory, Jr.,

Colonel, Corps of Engineers Executive Director of Civil Works.

[FR Doc. 90-4563 Filed 2-27-90; 8:45 am]

BILLING CODE 3710-08-M

Department of the Navy

CNO Executive Panel; Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 2), notice is hereby given that the Chief of Naval Operations (CNO) Executive Panel will meet March 15-18, 1990 from 9 a.m. to 5 p.m. at 4401 Ford Avenue, Alexandria, Virginia. All sessions will be closed to the public.

The purpose of this meeting is to review maritime issues as they impact national security policy and requirements. The entire agenda of the meeting will consist of discussions of key issues regarding national security policy, and related intelligence. These matters constitute classified information that is specifically authorized by Executive Order to be kept secret in the interest of national defense and are, in fact, properly classified pursuant to such Executive Order. Accordingly, the Secretary of the Navy has determined in writing that the public interest requires that all sessions of the meeting be closed to the public because they will be concerned with matters listed in section 552b(c)(1) of title 5, United States Code.

For further information concerning this meeting, contact:

Faye Buckman, Secretary to the CNO Executive Panel Advisory Committee, 4401 Ford Avenue, Room 601, Alexandria, Virginia 22302-0268, Phone (703) 756-1205.

Dated: February 20, 1990.

Sandra M. Kay,

Department of the Navy, Alternate Federal Register Liaison Officer.

[FR Doc. 90-4564 Filed 2-27-90; 8:45 am]

BILLING CODE 3810-AE-M

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

[Recommendation 90-1]

Restart of K, L, and P Reactors at DOE Savannah River Site, Georgia

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Notice; proposed recommendation.

SUMMARY: The Defense Nuclear Facilities Safety Board has made recommendations to the Secretary of Energy pursuant to 42 U.S.C. 2286a, concerning restart of K, L, and P reactors at the DOE Savannah River site, Georgia. The Board requests public comments on these recommendations.

DATES: Comments, data, views, or arguments concerning the recommendations are due on or before March 30, 1990.

ADDRESSES: Send comments, data, views, or arguments concerning the recommendations to: Defense Nuclear Facilities Safety Board, 600 E Street, NW., Suite 675, Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Pusateri, at the address above or telephone 202/356-5083, (FTS) 356-5083.

Dated: February 23, 1990.

Kenneth M. Pusateri,

Acting Executive Director.

Recommendation 90-1, Restart of K, L, and P Reactors at DOE Savannah River site, Georgia

Dated: February 22, 1990.

The Board has proceeded to give high-priority attention to the contemplated restart of the K, L, and P reactors at the Department's Savannah River site. This is in line with the intention of the Board to perform its duties on a schedule compatible with the Department's defense missions, to the extent such course is consistent with the Board's statutory responsibilities.

The Board believes that the DOE standards for training of reactor plant operators and supervisors at Savannah River have not been adequately determined and specified. Having given due regard to the technical and economic feasibility of implementation in accordance with the statute, the Board recommends:

a. That DOE determine and specify the qualifications that reactor plant operators and supervisors will be required to demonstrate before restart of the K, L, and P reactors;

b. That DOE identify any differences between its approved qualifications and those prescribed by NRC for analogous positions in the civilian nuclear power field; that where differences, if any, exist, DOE identify any supplemental measures that have been adopted in view thereof;

c. That DOE make a comprehensive review of the current level of qualifications of each reactor operator and supervisor employing both written and oral examinations, so as to establish that the scope and content of the training program will achieve the knowledge prerequisite for restart;

d. That the reactor plant operator and supervisor training programs be modified as necessary to take account of the required

qualifications and the current state of knowledge and experience of the operators and supervisors as indicated in c. above;

e. That DOE accelerate implementation of a configuration management program to help assure that as-built drawings of safety-related systems are available for training of operators and supervisors in procedures and for discipline of operations (e.g. valve line-ups); and

f. That the operators and supervisors be qualified in use of the revised procedures that will be in place for normal operations and for emergency situations.

John T. Conway,
Chairman.

Appendix—Transmittal Letter to the Secretary of Energy

February 22, 1990.

Honorable James D. Watkins,
Secretary of Energy, Washington, DC.

Dear Mr. Secretary: On February 22, 1990, the Defense Nuclear Facilities Safety Board met and in accordance with section 312(5) of Public Law 100-456 approved a number of recommendations which I am sending you enclosed for your consideration.

Section 315(A) of Public Law 100-456 requires the Board, after receipt by you, to promptly make these recommendations available to the public in the Department of Energy's regional public reading rooms. Please arrange to have these recommendations placed on file in your regional public reading rooms as soon as possible.

The Board will publish these recommendations in the *Federal Register*.

Sincerely,
John T. Conway,
Chairman.

[FR Doc. 90-4542 Filed 2-27-90; 8:45 am]

BILLING CODE 6820-KD-M

DEPARTMENT OF EDUCATION

[CFDA 84.060A]

Indian Education Program; Formula Grants; Local Educational Agencies

AGENCY: Department of Education.

ACTION: Notice of extension of closing date for transmittal of new applications for Fiscal Year 1990 assistance under the Formula Grant Program, Indian Education Act of 1988 subpart 1 (formerly part A).

SUMMARY: This notice extends the closing date of February 16, 1990, to March 9, 1990, for the transmittal of new applications under the Formula Grant Program (84.060A). The application notice for this program published in the *Federal Register* on November 15, 1989 (54 FR 47561) provides detailed information concerning this program.

SUPPLEMENTARY INFORMATION: The notice establishing the closing date for

transmittal of applications for fiscal year 1990 grants was published on November 15, 1989. Although application packages were mailed on November 27, 1989 a substantial number of eligible applicants did not receive the packages until January 1990. The extension of the closing date to March 9, 1990 will provide applicants sufficient time to prepare applications.

FOR FURTHER INFORMATION: Inquiries concerning this extension should be addressed to Julia Lesceux, U.S. Department of Education, 400 Maryland Avenue SW., Room 2177, Washington, DC 20202-6335. Telephone: (202) 732-5146. (25 U.S.C. 2601-2606, 2651)

Dated: February 21, 1990.

Daniel F. Bonner,

Acting Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 90-4456 Filed 2-27-90; 8:45 am]

BILLING CODE 4000-01-M

[CFDA No. 84.064]

Veterans Education Outreach Program; Notice Inviting Applications for New Awards for Fiscal Year 1990

Purpose of program: Provides funds to institutions of higher education to provide outreach and recruitment activities, counseling and tutorial services, and special programs for disabled, incarcerated and educationally disadvantaged veterans.

Deadline for transmittal of applications: May 14, 1990

Applications available: March 16, 1990

Available funds: \$2,801,000

Estimated range of awards: \$1,000—\$50,000

Estimated Average size of awards: \$5,000

Estimated number of awards: 600

Note: The Department is not bound by any estimates in this notice.

Project period: Up to 24 months

Deadline for intergovernmental review comments: June 15, 1990

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, and 85; and (b) the regulations for this program in 34 CFR part 629.

For Applications or information contact: Neil McArthur, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3022, Washington, DC 20202-5251. Telephone: (202) 732-4406.

Authority: 20 U.S.C. 1070e-1.

Dated: February 20, 1990.

Leonard, L. Haynes III,

Assistant Secretary for Postsecondary Education.

[FR Doc. 90-4460 Filed 2-27-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER90-212-000, et al.]

Tampa Electric Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

Take notice that the following filings have been made with the Commission:

1. Tampa Electric Co.

[Docket No. ER90-212-000]

February 20, 1990.

Take notice that on February 12, 1990, Tampa Electric Company (Tampa Electric) tendered for filing a Contrace for Interchange Service between Tampa Electric and the Reedy Creek Improvement District (RCID). The Agreement was supplemented with Service Schedules A, B, C, D, J, and X, providing for emergency scheduled/short-term firm (short-term) economy, long-term, negotiated, and extended economy interchange service, respectively.

Tampa Electric also tendered for filing a Letter of Commitment providing for the sale by Tampa Electric RCID of capacity and energy from Tampa Electric's coal-fired generating resources, at an initial hourly delivery rate of 10 megawatts. The Letter of Commitment is submitted as a supplement to Service Schedule D.

Tampa Electric proposes an effective date of March 1, 1990, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing have been served on RCID and the Florida Public Service Commission.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

2. Gulf States Utilities Co.

[Docket No. ER88-619-004]

February 20, 1990.

Take notice that on December 14, 1989, Gulf States Utilities Company (GSU) tendered for filing its Revised Rate Schedule PDS-GSU. GSU states that the Special Curtailment Provision has been deleted from the rate schedule.

Comment date: March 6, 1990, in accordance with Standard Paragraph E at the end of this notice.

3. Montana Power Co.

[Docket No. ER90-220-000]
February 20, 1990.

Take notice that on February 14, 1990, the Montana Power Company (Montana) tendered for filing a "Firm Energy Purchase and Transmission Service Agreement between the Montana Power and Black Hills Power and Light Company". Montana requests that the Commission (a) accept the agreement for filing, to be effective on January 1, 1989; and (b) grant a waiver of notice pursuant to 18 CFR 35.11, so as to allow the filing of the Agreement less than 60 days prior to the date on which service under the Agreement is commenced.

A copy of the filing was served upon Black Hills Power and Light Company.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

4. Oklahoma Gas and Electric Co.

[Docket No. ER90-214-000]
February 20, 1990.

Take notice that on February 13, 1990, Oklahoma Gas and Electric Company (OG&E) tendered for filing revisions to its TERC Rate Schedule (Trade Electricity for Gas Rider) applicable to rural electric cooperatives and municipalities to whom the company supplies electric service under the WC-1 or WM-1 Rate Schedules that are a part of the Oklahoma Gas and Electric Company FERC Electric Tariff, Revised Volume No. 1.

The proposed revisions will change the availability of the program from a 12 month to a 5 month period which will begin in May and end each September.

Copies of this filing have been served on Arkansas Valley Electricity Cooperative, KAMO Electric Cooperative, each wholesale municipality to whom the company supplies electric service, the Oklahoma Corporation Commission and the Arkansas Public Service Commission.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

5. EF Kenilworth, Inc., and United Jersey Bank

[Docket No. QF87-559-002]
February 20, 1990.

On February 9, 1990, EF Kenilworth, Inc. (EFKI), of 401 B Street, Suite 1000, San Diego, California 92101, and United Jersey Bank (UJB), 210 Main Street, Hackensack, New Jersey 07601, not in its

individual capacity but solely as trustee for the benefit of AT&T Credit Corporation (Applicants) submitted for filing an application for recertification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility is located in Kenilworth, New Jersey. The facility consists of a combustion turbine generating unit, a heat recovery steam generator and an extraction/condensing steam turbine generating unit. Thermal energy recovered from the facility will be used in pharmaceutical processing, chemical mixing, product sterilization and drying, and space heating. The net electric power production of the facility is to be approximately 25 MW. The primary energy source is natural gas.

The original application was filed by E.F. Kenilworth, Inc. on July 31, 1987 and certification was issued on December 31, 1987 (41 FERC ¶62,320 (1987)). Applicants filed a notice of qualifying status on June 8, 1989, to reflect a change in the ownership described below. The instant recertification is requested due a change of ownership. The facility will be owned by UJB, not in its individual capacity but as owner trustee under a trust agreement with AT&T Credit Corporation. The facility was purchased from EFKI effective May 31, 1989. EFKI, as lessee under a Facility Lease Agreement dated as of May 31, 1989, has leased back the facility from UJB, and EFKI continues to operate and maintain the facility. All other characteristics of the facility remain the same as described in EFKI's original application for certification. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

March 29, 1990, in accordance with Standard Paragraph E at the end of this notice.

6. Montana Power Co.

[Docket No. ER90-219-000]
February 20, 1990.

Take notice that on February 14, 1990, the Montana Power Company (Montana) tendered for filing a "Firm Energy Purchase and Transmission Service Agreement between the Montana Power and PacifiCorp". Montana requests that the Commission (a) accept the agreement for filing, to be effective on January 1, 1990; (b) grant a waiver of notice pursuant to 18 CFR 35.11, so as to allow the filing of the Agreement less than 60 days prior to the

date on which service under the Agreement is commenced.

A copy of the filing was served upon PacifiCorp.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

7. Northeast Utilities Service Co.

[Docket No. ER90-216-000]
February 20, 1990.

Take notice that on February 13, 1990, Northeast Utilities Service Company (NUSCO) as agent for the Connecticut Light and Power Company and Western Massachusetts Electric Company (collectively referred to as the NU Companies) tendered for filing a proposed rate schedule with respect to a Transmission Service Agreement, between the NU Companies and New England Power Company (NEP), dated June 6, 1989.

NUSCO states that this Agreement provides for continuation of service to NEP for the transmission of a purchase of electric system capacity and associated energy.

NUSCO requests that the Commission waive its filing requirements to the extent necessary to permit the rate schedule to become effective as of May 1, 1989.

NUSCO states that copies of the appropriate rate schedule have been mailed to NEP.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

8. Pennsylvania Power Co.

[Docket No. ER90-218-000]
February 20, 1990.

Take notice that on February 12, 1990, Pennsylvania Power Company (Penn Power) tendered for filing proposed changes in its FPC Electric Service Tariffs Nos. 30, 31, 22, 33 and 34 to the Pennsylvania boroughs (Boroughs) of New Wilmington, Wampum, Zelienople, Ellwood City and Grove City, respectively. The filing proposes 1) an extension in the availability and the renaming of the current Economic Development Rider (EDR) and 2) a new Economic Development Rider (EDR-II). Neither change affects the level of rates currently charged to the Boroughs. If any of the Boroughs meet the requirements of these rates, the application of either rate will result in a decrease in rate level. The first change extends the availability of the existing Rider III, Economic Development Rider (EDR), to December 31, 1990. This Rider III is also renamed, EDR-II to reflect the addition of a new rate, EDR-II. This latter rate is

proposed to become Rider VIII to the Company's Municipal Resale Rate Schedules. EDR-III will apply final rates rather than the higher third and fourth year rates of the four-year phase-in plan accepted by the Commission in Docket ER88-486-000. Both provisions are requested to be effective as of January 1, 1990.

The five municipal resale customers served by Penn Power entered into settlement agreements effective as of September 1, 1984. These agreements provide that these customers will be charged applicable retail rates as may be in effect during the terms of the agreements. Changes in rates were agreed to become effective as to these resale customers simultaneously with changes approved by the Pennsylvania Public Utility Commission (Pa. PUC). All of the proposed changes have been implemented as to Penn Power's retail customers and have been approved by the PA. PUC. These settlement agreements were approved by the Federal Energy Regulatory Commission through a Secretarial letter dated December 14, 1984 in Docket Nos. ER77-277-007 and ER81-779-000. Waivers of certain filing requirements have been requested to implement the rate changes in accordance with the settlement agreements.

Copies of the filing were served upon Penn Power's jurisdictional customers and the Pa. PUC.

Comment date: March 7, 1990, in accordance with Standard Paragraph E at the end of this notice.

9. William J. Catacosinos

[Docket No. ID-2440-000]
February 21, 1990.

Take notice that on February 16, 1990 William J. Catacosinos tendered for filing an application under section 305(b) of the Federal Power Act to hold the following positions:

Director Chairman of the Board of Directors and Chief Executive Officer; Long Island Lighting Company.

Director; Ketema, Inc.

Comment date: March 15, 1990, in accordance with Standard Paragraph E at the end of this notice.

10. Northeast Utilities Service

[Docket No. ER90-193-000]
February 21, 1990.

Take notice that on February 16, 1990, Northeast Utilities Service Company (NUSCO) tendered for filing supplemental information regarding a proposed rate schedule, a System Energy Sales-Exchange Agreement

between NUSCO and Central Vermont Public Service Corporation.

NUSCO states that the amendment was filed in response to a request from the Commission for additional information regarding the maximum capacity charge rate. NUSCO has provided such information to the Commission by letter dated February 14, 1990.

NUSCO states that copies of this information have been mailed or delivered to each of the parties.

NUSCO requests that the Commission waive its standard notice periods and filing regulations to the extent necessary to permit the rate schedule to become effective July 1, 1988.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

11. Pacific Gas and Electric Co.

[Docket No. EL89-34-000]
February 21, 1990.

Take notice that on February 9, 1990, Pacific Gas and Electric Company tendered for filing its Amendment to modify additional security provisions in the Northern California/Pacific Gas and Electric Company Interconnection Agreement pursuant to the Commission's order issued on December 20, 1989.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

12. Texas Utilities Electric Co.

[Docket No. ER90-223-000]
February 21, 1990.

Take notice that on February 6, 1990, Texas Utilities Electric Company (TU Electric) tendered for filing supplemental Exhibit C-1's to Service Agreement Nos. 1-4 under TU Electric's FERC Electric Tariff, Second Revised Volume No. 1, for transmission service, to, and from and over certain HVDC interconnections.

TU Electric states that the supplemental Exhibit C-1's reflect the determination for 1990 of impacts (in megawatt-miles) on the TU Electric transmission system resulting from the central dispatch operations of Central Power & Light Company, Public Service Company of Oklahoma, Southwestern Electric Power Company and West Texas Utilities Company.

TU Electric further states that the supplemental Exhibit C-1's take effect on January 1, 1990, and will remain in effect until December 31, 1990.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

13. Northeast Utilities Service Co.

[Docket No. ER90-178-000]
February 21, 1990.

Take notice that on February 16, 1990, Northeast Utilities Service Company (NUSCO) tendered for filing supplemental information regarding a proposed rate schedule, a System Energy Sales-Exchange Agreement between NUSCO and Connecticut Municipal Electric Energy Cooperative.

NUSCO states that the amendment was filed in response to a request from the Commission for additional information regarding the maximum capacity charge rate. NUSCO has provided such information to the Commission by letter dated February 14, 1990.

NUSCO states that copies of this information have been mailed or delivered to each of the parties.

NUSCO requests that the Commission waive its standard notice periods and filing regulations to the extent necessary to permit the rate schedule to become effective December 1, 1985.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

14. Northeast Utilities Service Co.

[Docket No. ER90-204-000]
February 21, 1990.

Take notice that on February 16, 1990, Northeast Utilities Service Company (NUSCO) tendered for filing supplemental information regarding a proposed rate schedule, a System Energy Sales-Exchange Agreement between NUSCO and Vermont Public Power Supply Authority.

NUSCO states that the amendment was filed in response to a request from the Commission for additional information regarding the maximum capacity charge rate. NUSCO has provided such information to the Commission by letter dated February 14, 1990.

NUSCO states that copies of this information have been mailed or delivered to each of the parties.

NUSCO requests that the Commission waive its standard notice periods and filing regulations to the extent necessary to permit the rate schedule to become effective July 1, 1985.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

15. Connecticut Light and Power Co.

[Docket No. ER90-215-000]
February 21, 1990.

Take notice that on February 13, 1990, the Connecticut Light and Power Company (CL&P) tendered for filing proposed Sales Agreements for the sale of capacity and associated energy from Slice-of-System units for four months to Boston Edison Company, dated March 1, for seven months to Canal Electric Company, dated August 1, 1989, and from Base Load/Pumped Storage units for eleven months to Boston Edison Company, dated May 1, 1989 (collectively, Buyers).

CL&P states that the Sales Agreements are extensions of existing agreements already accepted by the Commission that provide for sales of capacity and energy from certain CL&P generating units together with related transmission service.

CL&P requests that the Commission permit the rate schedules to become effective on March 1, 1989, April 1, 1989, August 1, 1989, or May 1, 1989, as appropriate.

CL&P states that a copy of the rate schedules have been mailed or delivered to Buyers.

Comment date: March 8, 1990, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph:

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 90-4579 Filed 2-27-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP86-168-021]

Columbia Gas Transmission Corp.; Proposed Changes in FERC Gas Tariff

February 22, 1990.

Take notice that Columbia Gas Transmission Corporation (Columbia), on February 15, 1990, tendered for filing the following proposed revised tariff

sheets to Volume No. 1 to its FERC Gas Tariff, to be effective March 1, 1990:

Substitute Original Sheet No. 43C
Substitute Original Sheet No. 43D
Substitute Original Sheet No. 68J
Second Substitute Original Sheet No. 68K
Substitute Original Sheet No. 68L

Columbia states the filing is being made in compliance with the Commission's February 5, Letter Order in the referenced dockets.

Columbia further states that these tariff sheets are being submitted in an electronic format in a separate, concurrent filing to implement a First Revised Volume No. 1 of its FERC Gas Tariff, and requests that the Commission grant such waivers as may be necessary for such concurrent filing to constitute compliance with the electronic filing requirements of the Commission Regulations and the February 5 Letter Order.

Copies of the filing were served upon the Company's jurisdictional customers and interested state commissions and all parties on the official service list in the affected proceedings.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, Union Center Plaza Building, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such protests should be filed on or before March 1, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 90-4580 Filed 2-27-90; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 3239-032-Washington; Project No. 10888-000]

Koma Kulshan Associates Puget Sound Power & Light Co.; Application for Amendment of License and Application for Transmission Line License

February 21, 1990.

Take notice that Koma Kulshan Associates, licensee for the Koma Kulshan Project No. 3239, filed a request on February 6, 1990, to amend its license, by transferring the project's 4.5-mile-long transmission line to Puget

Sound Power & Light Company (Puget Power). The project is located on Rocky, Sulphur, and Sandy Creeks in Whatcom County, Washington. Puget Power has requested authorization to construct, operate and maintain the transmission line. The Commission is treating Puget Power's request as an application for transmission line license for Project No. 10888.

Puget Power is an electric utility with extensive facilities in the project's general area. The licensee and Puget Power believe that construction, ownership, and maintenance of the transmission line by Puget Power would result in greater efficiency and would be in the public interest.

An environmental assessment (EA) was issued for the Koma Kulshan Project No. 3239 on March 20, 1987. In the EA, the Commission's staff analyzed the potential impacts of the project, including the transmission line, and concluded that with appropriate mitigative measures, the project would not constitute a major federal action significantly affecting the quality of the human environment. Further, appropriate terms and conditions for construction and operation of the project, including the transmission line, were included in the license. No Change is proposed to the buried transmission line as approved by the Commission. Therefore, this action is purely an administrative action and would not result in any additional environmental impacts.

Lois D. Cashell,
Secretary.

[FR Doc. 90-4463 Filed 2-27-90; 8:45 am]

BILLING CODE 6717-01-M

Federal Energy Regulatory Commission

[Docket No. RP90-82-000]

Northern Natural Gas Co., Division of Enron Corp.; Proposed Changes in FERC Gas Tariff

February 22, 1990.

Take notice that Northern Natural Gas Company, Division of Enron Corp., (Northern) on February 16, 1990, tendered for filing proposed changes to its FERC Gas Tariff. Northern has requested a waiver of the Commission's regulations so that the proposed filing becomes effective on March 1, 1990.

Northern states that this filing is being submitted to recover take-or-pay litigation exception costs on a five-year levelized basis, excluding interest, pursuant to section V of the Settlement

of Northern's rate proceeding at Docket No. RP88-259.

Northern further states that copies of the filing have been mailed to each of its customers and interested state commissions.

Any person desiring to be heard or to protect said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214 and 385.211). All such petitions or protests must be filed on or before March 1, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 90-4582 Filed 2-27-90; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

RESOLUTION TRUST CORPORATION

Federal Deposit Insurance Corporation and Resolution Trust Corporation Policy on Qualified Financial Contracts

AGENCIES: Federal Deposit Insurance Corporation and Resolution Trust Corporation.

ACTION: Notice of availability.

SUMMARY: The Board of the Directors of the Federal Deposit Insurance Corporation, and the Board of Directors of the Resolution Trust Corporation, have each adopted a statement of policy regarding Qualified Financial Contracts. It is the purpose of this Notice to alert all interested parties that the statements of policy, each of which is identical in substance to the other, are available for distribution to the public.

EFFECTIVE DATE: The policies have been effective since their adoption on December 12, 1989.

ADDRESSES: Copies of both statements of policy may be obtained from either of the following sources:

Federal Deposit Insurance Corporation,
Office of Corporate Communications,
550 17th Street NW., Washington, DC
20429, (202) 898-6996.

Resolution Trust Corporation, RTC
Communications Unit, 550 17th Street
NW., Washington, DC 20429, (202)
789-6313.

FOR FURTHER INFORMATION CONTACT:

Rex Veal, Associate General Counsel,
Resolution Trust Corporation, (202) 789-
8712, or Carl Gold, Counsel, Resolution
Trust Corporation, (202) 789-8321;
Barbara Taft, Senior Counsel, Federal
Deposit Insurance Corporation, (202)
898-3728.

SUPPLEMENTARY INFORMATION: The
Financial Institutions Reform, Recovery,
and Enforcement Act of 1989

("FIRREA") identified certain contracts as "Qualified Financial Contracts" ("QFC's"). These contracts are generally defined as securities contracts and various liquidity and/or hedging arrangements such as repurchase and swap agreements. These contracts are exempt from various receivership powers and the collateral for the transactions may be liquidated upon appointment of a receiver absent an immediate and complete transfer to another institution. The financial markets have expressed considerable concern regarding these transactions and federal funds ("fed funds") transactions.

The policy statements adopted by each respective Board of Directors are identical in substance. The policy, which has been discussed with various representatives of the financial industries involved, would clarify two points. First, the "written agreement" requirements of the statute for both QFC's and fed funds transactions would be satisfied provided a writing evidencing the transaction that would be enforceable under noninsolvency law

is generated, authority existed for the transaction, and proper records are maintained. Secondly, the policy statements clarify the receiver's absolute right to transfer QFC's.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

Resolution Trust Corporation.

John M. Buckley, Jr.,

Executive Secretary.

[FR Doc. 90-4493 Filed 2-27-90; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL ELECTION COMMISSION

[Notice 1990-2]

Filing Dates for New York Special Elections

AGENCY: Federal Election Commission.

ACTION: Notice of filing dates for New York Special Elections.

SUMMARY: New York has scheduled special elections on March 20, 1990, in the 14th and 18th Congressional Districts to fill the seats caused by the resignations of Guy V. Molinari and Robert Garcia, respectively.

FOR FURTHER INFORMATION CONTACT:

Ms. Bobby Werfel, Public Information
Office, 999 E Street, NW., Washington,
DC 20463 Telephone: (202) 376-3210; Toll
Free (800) 424-9530.

SUPPLEMENTARY INFORMATION: Principal campaign committees of candidates who participate in the New York Special Elections must file reports according to the schedule in the following chart. Party committees and PACs that make contributions or expenditures in connection with the Special Elections during the coverage dates listed in the charts must file the appropriate reports. Monthly filers, however, do not file Special Pre-and Post-Election reports.

Calendar of Reporting Dates for New York Special Elections

All Committees Involved in the 3/20/90
Election Must File:

Report	Period Covered ¹	Reg./Cert. Mailing Date ²	Filing Date
Pre-General	01/01/90-02/28/90	03/05/90	03/08/90
April Quarterly	03/01/90-03/31/90	04/15/90	04/15/90
Post-General	04/01/90-04/09/90	04/19/90	04/19/90

¹ The period begins with the close of books of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

² Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

Dated: February 22, 1990.

Lee Ann Elliott,

Chairman, Federal Election Commission.

[FR Doc. 90-4452 Filed 2-27-90; 8:45 am]

BILLING CODE 6715-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Information Collection Submitted to the Office of Management and Budget for Clearance

The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following information collection package for clearance in accordance with the Paperwork Reduction Act (44 U.S.C. chapter 35).

Type: Revision of 3067-0154.

Title: National Shelter Survey Program.

Abstract: The Federal Civil Defense Act of 1950, as amended, authorizes the Federal Emergency Management Agency to "study and develop civil defense measures designed to afford adequate protection of life and property, including, but not limited to, research and studies as to the best methods of treating the effects of attacks, and natural disaster; developing shelter designs and materials for protective covering or construction; and developing equipment or facilities and effecting the standardization thereof to meet civil defense requirements." The Act also prescribes an improved civil defense program to include "a survey of the shelters inherent in existing facilities" and "planning for the development during times of crisis of additional shelter." The National Shelter Survey (NSS) Program is the means by which FEMA carries out this authority.

The NSS contains information on the fallout and relative blast protection and the fire vulnerability of a facility and the facility's capacity for providing congregate care during crisis. The NSS also assesses the capability of a facility to withstand the threats from natural disasters, including tornadoes, earthquakes, hurricanes, and floods.

The following FEMA Forms are used in conjunction with the NSS Program by FEMA Regional Offices and State and local governments to collect and report structural and other data on buildings and special facilities (caves, tunnels, etc.) for inclusion in the NSS. The forms are FEMA Form 85-5, NFS-RAC Data Input Form, FEMA Form 85-6, Easy II Graphical Solution Form, FEMA Form 85-7, Direct Effects Data Collection Form, FEMA Form 85-28, Data Base

Correction Form, FEMA Form 85-30, Shelter Analysis for Nuclear Defense, FEMA Form 85-36, NFS-RAC Survey Delete Facility Record Form, FEMA Form 85-42, Natural Hazards Vulnerability Data Input Form, FEMA Form 85-43, Initial Nuclear Radiation, and FEMA Form 85-49, NSS Packing Sheet. The information collected is also used by emergency planners in attack related preparedness and during emergency situations such as natural disasters where congregate care facilities are required.

State and local governments are funded to conduct NSS's through FEMA's Comprehensive Cooperative Agreements.

Type of Respondents: State and local governments, Federal agencies or employees.

Estimate of Total Annual Reporting and Recordkeeping Burden: 30,307.

Number of Respondents: 250.

Estimated Average Burden Hours Per Response: 48 minutes.

Frequency of Response: Semi-Annually, Annually.

Copies of the above information collection request and supporting documentation can be obtained by calling or writing the FEMA Clearance Officer, Linda Borrer, (202) 646-2624, 500 C Street, SW., Washington, DC 20472.

Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: the FEMA Clearance Officer at the above address; and to Gary Waxman, (202) 395-7231, Office of Management and Budget, 3235 New Executive Office Building, Washington, DC 20503 within four weeks of this notice.

Dated: February 7, 1990.

Wesley C. Moore,

Director, Office of Administrative Support.

[FR Doc. 90-4553 Filed 2-27-90 8:45 am]

BILLING CODE 6718-01-M

Agency Information Collection Submitted to the Office of Management and Budget for Clearance

The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following information collection package for clearance in accordance with the Paperwork Reduction Act (44 U.S.C. chapter 35).

Type: Revision of 3067-0164.

Title: Metropolitan Fire Department Training System Survey.

Abstract: The Metropolitan Fire Department Training System Survey is needed to determine the fire related

training and education needs and resources of local fire departments in order to develop and delivery programming that will complement and supplement local efforts and systems. The National Fire Academy must collect data on existing local programs and activities so that it can provide effective assistance to local governments. Effective assistance can not be provided if the NFA does not continue to have a clear awareness of the metropolitan fire services training resources as well as a sensitivity to their needs. Data will be collected from 134 metropolitan fire departments to assist the NFA in program planning and to foster the exchange of fire training information and resources among and between levels of government.

Type of Respondents: State and local governments.

Estimate of Total Annual Reporting and Recordkeeping Burden: 384.5.

Number of Respondents: 134.

Estimated Range of Burden Hours Per Response: From 2.5 to 4 Hours.

Frequency of Response: Biennially.

Copies of the above information collection request and supporting documentation can be obtained by calling or writing the FEMA Clearance Officer, Linda Borrer, (202) 646-2624, 500 C Street, SW., Washington, DC 20472.

Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: The FEMA Clearance Officer at the above address; and to Gary Waxman, (202) 395-7231, Office of Management and Budget, 3235 New Executive Office Building, Washington, DC 20503 within four weeks of this notice.

Dated: February 9, 1990.

Wesley C. Moore,

Director, Office of Administrative Support.

[FR Doc. 90-4554 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-01-M

[FEMA-856-DR]

Alabama; Notice of Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Alabama (FEMA-856-DR), dated February 17, 1990, and related determinations.

DATES: February 17, 1990.

FOR FURTHER INFORMATION CONTACT: Sandra E. Dixon, Disaster Assistance

Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-4066.

Notice: Notice is hereby given that, in a letter dated February 17, 1990, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*, Pub. L. 93-288, as amended by Public Law 100-707), as follows:

I have determined that the damage in certain areas of the State of Alabama, resulting from severe storms, tornadoes and flooding beginning on February 3, 1990, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288, as amended by Public Law 100-707. I, therefore, declare that such a major disaster exists in the State of Alabama.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated area. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under Public Law 93-288, as amended by Public Law 93-100-707, for Public Assistance will be limited to 75 percent of the total eligible costs.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Thomas P. Credle of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Alabama to have been affected adversely by this declared major disaster:

Bibb, Greene, Russell, Shelby, Talladega and Tuscaloosa for Individual Assistance. Greene, Talladega and Tuscaloosa for Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Robert H. Morris,

Acting Director, Federal Emergency Management Agency.

[FR Doc. 90-4552 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-02-M

[FEMA-855-DR]

American Samoa; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the Territory of American Samoa (FEMA-855-DR), dated February 9, 1990, and related determinations.

DATES: February 12, 1990.

FOR FURTHER INFORMATION CONTACT:

Neva K. Elliott, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-3614.

NOTICE: Notice is hereby given that the incident period for this disaster is closed effective February 12, 1990.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Grant C. Peterson,

Associate Director, State and Local Programs and Support, Federal Emergency Management Agency.

[FR Doc. 90-4543 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

[FEMA-855-DR]

American Samoa; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the Territory of American Samoa (FEMA-855-DR), dated February 9, 1990, and related determinations.

DATES: February 9, 1990.

FOR FURTHER INFORMATION CONTACT:

Neva K. Elliott, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-3614.

NOTICE: Notice is hereby given that, in a letter dated February 9, 1990, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*, Pub. L. 93-288, as amended by Pub. L. 100-707), as follows:

I have determined that the damage in certain areas of the Territory of American Samoa, resulting from Hurricane Ofa beginning on February 2, 1990, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288, as amended by Public Law 100-707. I, therefore, declare that such a major disaster exists in the Territory of American Samoa.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under Public Law 93-288, as amended by Public Law 100-707, for Public Assistance will be cost shared. The final terms of this cost sharing arrangement can include per capita cost sharing.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Tommie C. Hamner of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the Territory of American Samoa to have been affected adversely by this declared major disaster:

The Territory of American Samoa for Individual Assistance and Public Assistance. (Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Robert H. Morris,

Acting Director, Federal Emergency Management Agency.

[FR Doc. 90-4544 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

[FEMA-854-DR]

Commonwealth of the Northern Mariana Islands; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the Commonwealth of the Northern Mariana Islands (FEMA-854-DR), dated February 5, 1990, and related determinations.

DATES: February 16, 1990.

FOR FURTHER INFORMATION CONTACT:

Neva K. Elliott, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-3614.

NOTICE: The notice of a major disaster for the Commonwealth of the Northern

Mariana Islands, dated February 5, 1990, is hereby amended to include the following areas among those areas determined to have been adversely effected by the catastrophe declared a major disaster by the President in his declaration of February 5, 1990: The Islands of Agrihan and Anatahan for Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.518, Disaster Assistance)

Grant C. Peterson,

Associate Director, State and Local Programs and Support, Federal Emergency Management Agency.

[FR Doc. 90-4545 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

[FEMA-853-DR]

Oregon; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Oregon (FEMA-853-DR), dated January 24, 1990, and related determinations.

DATES: February 15, 1990.

FOR FURTHER INFORMATION CONTACT:

Neva K. Elliott, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472 (202) 646-3614.

NOTICE: The notice of a major disaster for the State of Oregon, dated January 24, 1990, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 24, 1990:

Clatsop County for Public Assistance.

(Catalog of Federal Domestic Assistance No. 83.518, Disaster Assistance)

Grant C. Peterson,

Associate Director, State and Local Programs and Support, Federal Emergency Management Agency.

[FR Doc. 90-4546 Filed 2-27-90; 8:45 am]

BILLING CODE 6718-21-M

FEDERAL MARITIME COMMISSION

[Docket No. 90-08]

Military Sealift Command v. Sea-Land Service, Inc., et al.; Filing of Complaint and Assignment

Notice is given that a complaint filed by Military Sealift Command ("Complainant") against Sea-Land Service, Inc., P&O Containers (TFL)

Limited, Nedlloyd Lijnen, B.V., and Compania Transatlantica Espanola, S.A. (hereinafter collectively referred to as "Respondents") was served February 22, 1990. Complainant alleges that Respondents have violated sections 10(b)(12), 10(c)(1) and 10(c)(6) of the Shipping Act of 1984 ("Act"), 46 U.S.C. app. 1709(b)(12), (c)(1) and (c)(6), by reason of Article 5(i) of Agreement No. 203-011171 and Article 5.4(a) of Agreement No. 232-011217, by subjecting Complainant to an unreasonable refusal to deal and by allocating Complainant to a specific carrier. Complainant further alleges that certain of Respondents' tariffs fail to contain contracts of affreightment in violation of section 8(a)(1)(e) of the Act, 46 U.S.C. app. 1707.

This proceeding has been assigned to Administrative Law Judge Joseph N. Ingolia ("Presiding Officer"). Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the Presiding Officer in this proceeding shall be issued by February 22, 1991, and the final decision of the Commission shall be issued by June 24, 1991.

Joseph C. Polking,

Secretary.

[FR Doc. 90-4464 Filed 2-27-90; 8:45 am]

BILLING CODE 6730-01-M

Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR Part 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarder and Passenger Vessel Operations, Federal Maritime Commission, Washington, DC 20573.

James L. Butler III, dba J. L. Butler

Forwarding, 62 S. Front Street, Memphis,

TN 38103. Officer: James L. Butler, Sole Proprietor

General Air Freight Consolidators, Inc. dba General Ocean Freight Container Line, 9000 Bellanca Avenue, Suite 14 & 16, Los Angeles, CA 90045. Officer: Simon T. Wu, President

Miguel D. Marave dba Marave & Associates, 8915 S. LA Cienega Blvd. Unit A, Inglewood, CA 90301. Officer: Miguel D. Marave, Sole Proprietor

Argents Air Express Ltd. dba Argents International, 123 South Main Street, Royal Oak, Michigan 48067. Officers: William J. Chiappetta, President/Director, Joseph A. Chiappetta, Assistant Secretary, Cynthia L. Chiappetta, Vice President/Secretary/Director, Gary L. Clements, Vice President Int'l Sales

Alliance Brokers International, Inc., 1240 E. Northwest Hwy, Ste 109, Grapevine, TX 76051. Officers: Robert Carlson, Vice President/Export, Jeff Bell, Vice President, James R. Mason, Treasurer/Stockholder, Roger Littleton, President

Dated: February 22, 1990.

Joseph C. Polking,

Secretary.

[FR Doc. 90-4465 Filed 2-27-90; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

The Long-Term Credit Bank of Japan, Ltd., Tokyo, Japan; Proposal to Underwrite and Deal in Certain Securities to a Limited Extent, Purchase and Sell Precious Metals and Derivative Products, Act as a Futures Commission Merchant, and Purchase and Sell Notional Principal Contracts

The Long-Term Credit Bank of Japan, Limited, Tokyo, Japan ("Applicant"), has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) (the "BHC Act"), and § 225.23(a)(3) of the Board's Regulation Y (12 CFR 225.23(a)(3)), for prior approval to engage through Greenwich Capital Markets, Inc., Greenwich, Connecticut ("Company"), in the following activities:

(1) Underwriting and dealing, to a limited extent, in commercial paper (which will be of prime quality, short-term, sold in minimum denominations of \$100,000, and exempt from the registration requirements of the Securities Act of 1933), municipal revenue bonds (including industrial developments bonds that are limited to "public ownership" industrial development bonds, where the issuer or the governmental unit on behalf of which the bonds are issued is the sole owner of the financed facility), 1-4 family mortgage-related securities, and

consumer receivable-related securities ("ineligible securities");

(2) purchasing and selling, for the account of Company, precious metals, and forward, options and futures contracts, and options on futures contracts for such precious metals;

(3) acting as a futures commission merchant by providing execution, clearance, and advisory services with respect to futures and options on futures on broad-based bond and stock indices; and

(4) purchasing and selling for the account of Company, notional principal contracts based on securities that state member banks are permitted to underwrite and deal in under section 16 of the Banking Act of 1933 (12 U.S.C. 24 (Seventh) & 335) ("eligible securities"), sovereign debt obligations, currencies, loans, commodities, and interest-rate indices such as the London Interbank Offered Rate; and providing brokerage services and investment advice with respect to such transactions and contracts to institutional customers.

Section 4(c)(8) of the BHC Act provides that a bank holding company may, with prior Board approval, engage directly or indirectly in any activities "which the Board after due notice and opportunity for hearing has determined (by order or regulation) to be so closely related to banking or managing or controlling banks as to be a proper incident thereto."

A particular activity may be found to meet the "closely related to banking" test if it is demonstrated that banks have generally provided the proposed activity; that banks generally provide services that are operationally or functionally so similar to the proposed activity so as to equip them particularly well to provide the proposed activity; or that banks generally provide services that are so integrally related to the proposed activity as to require their provision in a specialized form. *National Courier Ass'n v. Board of Governors*, 516 F.2d 1229, 1337 (DC Cir. 1975). In addition, the Board may consider any other basis that may demonstrate that the activity has a reasonable or close relationship to banking or managing or controlling banks. Board Statement Regarding Regulation Y, 49 FR 806 (1984).

In determining whether an activity meets the second, or proper incident to banking, test of section 4(c)(8), the Board must consider whether the performance of the activity by an affiliate of a holding company "can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency that outweigh

possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.

Applicant has applied to underwrite and deal in ineligible securities as set forth in the Board's Orders approving those activities for a number of bank holding companies, with certain exceptions. See, e.g., Citicorp, J.P. Morgan & Co. Incorporated and Bankers Trust New York Corporation, 73 Federal Reserve Bulletin 473 (1987); and Chemical New York Corporation, The Chase Manhattan Corporation, Bankers Trust New York Corporation, Citicorp, Manufacturers Hanover Corporation, and Security Pacific Corporation, 73 Federal Reserve Bulletin 731 (1987), as modified by Order Approving Modifications to Section 20 Orders (Order dated September 21, 1989). In particular, Applicant has proposed that certain limitations placed on the underwriting and dealing activities in the above Orders be limited to Applicant's bank affiliates.

Applicant also proposes to purchase and sell, for the account of Company, (i) precious metals, including gold and silver bullion, bars, rounds, and coins; and (ii) forward, options and futures contracts, and options on futures contracts for precious metals ("precious metal contracts"). Applicant states that the purchase and sale of precious metal contracts will be an incident to Company's activities of dealing in precious metals and eligible and ineligible securities, and for the purpose of hedging cash positions in precious metals and hedging Company's portfolio of eligible and ineligible securities. Applicant maintains that purchasing and selling precious metals contracts is an effective method of reducing risk associated with holding eligible and ineligible securities. In conducting its activities, Applicant has committed to abide by the policies and limitations found in the Board's Statement concerning the use of these types of contracts. Statement of policy concerning bank holding companies engaging in futures, forward and options contracts on U.S. Government and agency securities and money market instruments, 12 CFR 225.142.

Applicant also has applied to act as a futures commission merchant ("FCM") in the provision of execution, clearance and advisory services with respect to (a) the Standard & Poor's Over-the-Counter 250 Stock Index futures contract, (b) the Major Market Index Maxi Stock Index futures contract, (c) the Major Market Index Mini Stock Index futures contract, (d) the New York Stock Exchange Index Composite futures contract, (e) options

on New York Stock Exchange Composite Index futures contracts, (f) the Value Line Average Stock Index futures contract, (g) the Value Line Futures (Maxi) Index futures contract, (h) the Value Line Futures (Mini) Index futures contract, (i) the Financial Times Stock Index futures contract, (j) the Nikkei Stock Average futures contract, (k) the GNMA Cash Settled futures contract, (l) the National Over-the-Counter Index futures contract, and (m) the NASD Financial futures contract. Applicant maintains that the Board has previously approved the execution and clearance of the listed futures contracts. Applicant contends that providing investment advice with respect to these futures contracts is closely related to banking and a proper incident thereto since the Board has previously approved investment advice with respect to broad-based bond and stock indices. Northern Trust Company, 74 Federal Reserve Bulletin 502 (1988). Company would conduct its FCM activities in accordance with the limitations of 12 CFR 225.25(b)(18) and (b)(19).

Applicant has proposed to purchase and sell notional principal contracts based upon all eligible securities, loans, currencies, foreign debt sovereign obligations, commodities, and interest-rate indices such as the London Interbank Offered Rate, and act as broker or agent, and advisor regarding financial strategies to institutional customers with respect to the foregoing transactions and instruments. Applicant contends that these activities are permissible under the Board's prior decisions permitting bank holding companies to broker and originate interest rate swaps. The Sumitomo Bank, Limited, 75 Federal Reserve Bulletin 582 (1989) ("Sumitomo"). Applicant has applied to conduct these activities subject to the structure and guidelines established by the Board in Sumitomo.

Applicant contends that approval of the application would not be barred by section 20 of the Glass-Steagall Act (12 U.S.C. 377). Section 20 of the Glass-Steagall Act prohibits the affiliation of a member bank with a firm that is "engaged principally" in the "underwriting, public sale or distribution" of securities. With regard to the proposed ineligible securities underwriting and dealing activities, Applicant states that, consistent with section 20, it would not be "engaged principally" in such activities on the basis of the restriction on the amount of the proposed activity relative to the total business conducted by the underwriting subsidiary previously

approved by the Board. See Board's Order dated September 21, 1989.

In publishing the proposal for comment, the Board does not take any position on issues raised by the proposal under the BHC Act. Notice of the proposal is published solely in order to seek the views of interested persons on the issues presented by the application and does not represent a determination by the Board that the proposal meets or is likely to meet the standards of the BHC Act.

Any views or requests for a hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551, not later than March 14, 1990. Any request for a hearing must, as required by § 262.3(e) of the Board's Rules of Procedure (12 CFR 262.3(e)), be accompanied by a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented in a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

This application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of New York.

Board of Governors of the Federal Reserve System, February 22, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-4494 Filed 2-27-90; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

Particulate Sampler Performance Testing; Meeting

Name: Particulate Sampler Performance Testing.

Time and date: 1 p.m.-4 p.m., March 22, 1990.

Place: Alice Hamilton Laboratory, NIOSH, CDC, Conference Room C, 5555 Ridge Avenue, Cincinnati, Ohio 45213.

Status: Open to the public, limited only by the space available.

Purpose: To conduct an open meeting for the review of a project entitled, "Particulate Sampler Performance Testing." This project will update respirable dust sampler performance testing developed within NIOSH. Use of modern instrumentation for the testing will result in a combination of tighter performance criteria and a larger set of acceptable samplers.

Contact person for additional information: David L. Bartley, Ph.D., NIOSH, CDC, 4576 Columbia Parkway, Cincinnati, Ohio 45226, Telephone: Commercial (513) 841-4277, FTS: 684-4277.

Dated: February 22, 1990.

Elvin Hilyer,

Associate Director for Policy Coordination, Centers for Disease Control.

[FR Doc. 90-4508 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-19-M

Evaluation of Toxic Gas Monitors for Indoor and Workplace Air; Meeting

Name: Evaluation of Toxic Gas Monitors for Indoor and Workplace Air.

Time and Date: 10 a.m.-12 noon, March 15, 1990.

Place: Alice Hamilton Laboratory, NIOSH, CDC, Conference Room B, 5555 Ridge Avenue, Cincinnati, Ohio 45213.

Status: Open to the public, limited only by the space available.

Purpose: To conduct an open meeting for the review of a project titled "Evaluation of Toxic Gas Monitors for Indoor and Workplace Air." This project is based on a laboratory evaluation of instruments chosen for their ability to monitor indoor air contaminants such as carbon dioxide, formaldehyde, total organic vapors, carbon monoxide, chlorine, hydrogen sulfide, ammonia, and sulfur dioxide. The results of this project will assist the potential user of gas monitoring instrumentation in the choice of an instrument for a given application. Commercial availability of monitors for commonly monitored gases/vapors (as those mentioned above) will be assessed.

Contact Person for Additional Information: Jerome P. Smith, Ph.D., NIOSH, CDC, 4676 Columbia Parkway, Cincinnati, Ohio 45226, Telephone: Commercial (513) 841-4293, FTS: 684-4293.

Dated: February 22, 1990.

Elvin Hilyer,

Associate Director for Policy Coordination, Centers for Disease Control.

[FR Doc. 90-4507 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-19-M

Food and Drug Administration

[Docket No. 90F-0036]

Nippon Synthetic Chemical Industry Co., Ltd.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Nippon Synthetic Chemical Industry Co., Ltd., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of boric acid as a stabilizer in ethylene-vinyl acetate-vinyl alcohol copolymers intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT:

Hortense S. Macon, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St., SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5) (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 0B4188) has been filed by Nippon Synthetic Chemical Industry Co., Ltd., 9-6, Nozaki-cho, Kita-ku, Osaka, Japan, proposing that § 178.2010 Antioxidants and/or stabilizers (21 CFR 178.2010) be amended to provide for the safe use of boric acid as a stabilizer in ethylene-vinyl acetate-vinyl alcohol copolymers intended for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the Federal Register in accordance with 21 CFR 25.40(c).

Dated: February 20, 1990.

Fred R. Shank,

Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 90-4512 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 90M-0054]

Alcon Laboratories, Inc.; Premarket Approval of Models MT3-MT7 Non-Ultraviolet-Absorbing and MT3U-MT7U Ultraviolet-Absorbing Anterior Chamber Intraocular Lenses

AGENCY: Food and Drug Administration.
ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Alcon Laboratories, Inc., Fort Worth, TX, for premarket approval under the Medical Device Amendments of 1976 (the amendments) of the Models MT3-MT7 Non-Ultraviolet-absorbing and MT3U/MT7U Ultraviolet-absorbing Anterior

Chamber Intraocular Lenses. After reviewing the recommendation of the Ophthalmic Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of January 31, 1990, of the approval of the application.

DATES: Petitions for administrative review by March 30, 1990.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Nancy C. Brogdon, Center for Devices and Radiological Health (HFZ-460), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301-427-1212.

SUPPLEMENTARY INFORMATION: On January 25, 1989, Alcon Laboratories, Inc., Fort Worth, TX 76134-2099, submitted to CDRH an application for premarket approval of the Models MT3-MT7 Non-Ultraviolet-Absorbing and Models MT3U-MT7U Ultraviolet-Absorbing Anterior Chamber Intraocular Lenses. The Models MT3-MT7 and MT3U-MT7U are designed for use in the anterior chamber for the visual correction of aphakia in patients 60 years of age or older who are undergoing: (1) A primary intracapsular cataract extraction (ICCE) or (2) a primary extracapsular cataract extraction (ECCE) provided that this be performed after the physician has compared the published results or his/her own results from the anterior chamber lenses with posterior chamber lenses or (3) a primary ECCE where there is a structural reason why the Model MT3-MT7 or MT3U-MT7U is preferred (secondary intent) or (4) a secondary procedure in an aphakic patient. The device is available in a range of powers from 4 diopters (D) through 32 D in 0.5-D increments.

On January 25, 1990, the Ophthalmic Devices Panel, an FDA advisory committee, reviewed and recommended approval of the application. On January 31, 1990, CDRH approved the application by a letter to the applicant from the director of the Office of Device Evaluation, CDRH.

Under the amendments, intraocular lenses are regulated as class III devices (premarket approval). A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the

name of the device and the docket number found in brackets in the heading of this document.

A copy of all approved labeling is available for public inspection at CDRH—contact Nancy C. Brogdon (HFZ-460), address above.

Opportunity for Administrative Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the Federal Register. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 30, 1990, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: February 21, 1990.

Walter E. Gundaker,

Acting Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 90-4510 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 90M-0053]

IntraOptics, Inc.; Premarket Approval of Models SK15 and SK16 Posterior Chamber Intraocular Lenses

AGENCY: Food and Drug Administration.
ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by IntraOptics, Inc., Huntington, WV, for premarket approval under the Medical Device Amendments of 1976 (the amendments) of the Models SK15 and SK16 Posterior Chamber Intraocular Lenses. After reviewing the recommendation of the Ophthalmic Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of January 24, 1990, of the approval of the application.

DATES: Petitions for administrative review by February 28, 1990.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, room 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Nancy C. Brogdon, Center for Devices and Radiological Health (HFZ-460), Food and Drug Administration, 1390 Piccard Drive, Rockville, MD 20850, (301) 427-1212.

SUPPLEMENTARY INFORMATION: On November 17, 1987, IntraOptics, Inc., Huntington, WV 25708, submitted to CDRH an application for premarket approval of the Models SK15 and SK16 Posterior Chamber Intraocular Lenses. The devices are indicated for use in the visual correction of aphakia in primary implantations in patients 60 years of age or older where a cataractous lens has been removed by extracapsular cataract extraction methods. The lenses are intended for replacement in either the ciliary sulcus or capsular bag following extracapsular cataract extraction. The devices are available in a range of powers from 10 diopters (D) through 30 D in 0.5-D increments.

On April 21, 1988, the Ophthalmic Devices Panel, an FDA advisory committee, reviewed and recommended approval of the application. On January 24, 1990, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

Under the amendments, intraocular lenses are regulated as class III devices (premarket approval). A summary of the

safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

A copy of all approved final labeling is available for public inspection at CDRH—contact Nancy C. Brogdon (HFZ-460), address above.

Opportunity for Administrative Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish notice of its decision in the *Federal Register*. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 30, 1990, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: February 21, 1990.

Walter E. Gundaker,

Acting Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 90-4511 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

Reconsideration of Disapproval of Louisiana State Plan Amendment (SPA); Hearing

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on April 17, 1990, in room 1010, 1200 Main Tower Building, Dallas, Texas, to reconsider our decision to disapprove Louisiana's State Plan Amendment 88-12.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the Docket Clerk on or before March 15, 1990.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, HCFA Hearing Staff, 300 East High Rise, 8325 Security Boulevard, Baltimore, Maryland 21207, Telephone: (301) 966-4471.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove Louisiana's State plan amendment (SPA) number 88-12.

Section 1116 of the Social Security Act (the Act) and 42 CFR part 430 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues that will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained at 42 CFR 430.76(b)(2). Any interested person or organization that wants to participate as *amicus curiae* must petition the Hearing Officer before the hearing begins in accordance with the requirements contained at 42 CFR 430.76(c).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

Louisiana SPA 88-12 would amend the Louisiana Medicaid inpatient

hospital payment plan. The issue in this matter is whether the State has provided a satisfactory assurance that its rates are reasonable and adequate to meet the costs of an efficiently and economically operated facility, as required by section 1902(a)(13)(A) of the Act.

Section 1902(a)(13)(A) of the Act requires, in part, that the payment for inpatient hospital services be made through the use of rates calculated under an approved State plan. The State is also required by this provision to make a determination and provide assurances satisfactory to the Secretary that these rates are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities.

Under the currently approved plan, the State pays for most hospital services through a prospectively determined rate for each Medicaid discharge. A limited number of special services (e.g., neonate intensive care, burn units) are paid prospectively determined rates for each day of care. The State refers to these special services as "carved out units." Under the approved plan, when calculating the amount of general and "carved out unit" rates, the State plan provides for updating the rates annually with an inflation component.

The proposed amendment specified that the target rate percentage increase will not be applied to the per discharge payment rates or the "carved out" unit per diem rates for the cost reporting period beginning July 1, 1988. The State furnished an assurance statement as required by 42 CFR 447.253(b)(1) that the proposed payment rates are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated providers. However, HCFA has determined that the assurance does not meet the fundamental requirement of section 1902(a)(13)(A) of the Act. Consequently, HCFA has determined that the proposed State plan amendment, transmittal number 88-12, is not in accordance with Federal statutory requirements of section 1902(a)(13)(A) of the Act. While the State indicated that 60 percent of the facilities will be reimbursed their costs, HCFA believes the State has failed to provide any information or data that demonstrate any relationship between these facilities and efficiency and economy of operations. HCFA also believes that the State failed to substantiate its contention that its rates take into account economic conditions that will occur during the rate year.

The notice to Louisiana announcing an administrative hearing to reconsider

the disapproval of its State plan amendment reads as follows:

Ms. Carolyn O. Maggio,
Director,

Department of Health and Hospitals, P.O.
Box 91030, Baton Rouge, Louisiana 70821.

Dear Ms. Maggio: I am advising you that your request for reconsideration of the decision to disapprove Louisiana State plan amendment (SPA) 88-12 was received on January 25, 1990. Louisiana SPA 88-12 would amend Louisiana's title XIX reimbursement plan for inpatient hospital services.

The issue in this matter is whether the State has provided a satisfactory assurance that its rates are reasonable and adequate to meet the costs of an efficiently and economically operated facility, as required by section 1902(a)(13)(A) of the Social Security Act.

I am scheduling a hearing on your request to be held on April 17, 1990, at 10:00 a.m. in Room 1010, 1200 Main Tower Building, Dallas, Texas. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties. The hearing will be governed by the procedures prescribed at 42 CFR part 430.

I am designating Mr. Stanley Krostar as the presiding officer. If these arrangements present any problems, please contact the Docket Clerk. In order to facilitate any communication which may be necessary between the parties to the hearing, please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached at (301) 966-4471.

Sincerely,

Gail R. Wilensky,
Administrator.

Authority: Sec. 1116, Social Security Act (42 U.S.C. 1316); 42 CFR 430.18.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: February 22, 1990.

Gail R. Wilensky,

Administrator, Health Care Financing
Administration.

[FR Doc. 90-4453 Filed 2-27-90; 8:45 am]

BILLING CODE 4120-03-M

Privacy Act of 1974; Systems of Records

AGENCY: Department of Health and Human Services (HHS), Health Care Financing Administration (HCFA).

ACTION: Deletion of Privacy Act System of Records from HCFA Inventory.

SUMMARY: On August 21, 1989, HCFA published a notice of a new Privacy Act system of records, "Drug Bill Processor Records on Medicare Prescription Drug Beneficiaries," HHS/HCFA/BPO No. 09-70-0528 (54 FR 34612). This was under the authority of section 1842(o)(4) of the Social Security Act as amended by the Medicare Catastrophic Coverage Act (MCCA) of 1988 (Pub. L. 100-360).

This system was established to enable HCFA to collect and maintain records on Medicare prescription drug benefits for Medicare beneficiaries.

Because the MCCA was repealed by the Congress, we are hereby giving notice that we are deleting this system from our inventory as required by the Privacy Act and Office of Management and Budget guidelines.

EFFECTIVE DATE: This system of records will be deleted upon publication of this notice (February 28, 1990).

Dated: February 21, 1990.

Gail R. Wilensky,

Administrator, Health Care Financing
Administration.

[FR Doc. 90-4504 Filed 2-27-90; 8:45 am]

BILLING CODE 4120-03-M

Public Health Service

Office of the Assistant Secretary for Health

Privacy Act of 1974; New Routine Use and System of Records Name Change

AGENCY: Public Health Service, HHS.

ACTION: Notification of a new routine use and system of records name change.

SUMMARY: The Public Health Service (PHS) is publishing notice of a new routine use, responding to comments, changing the system name, providing the contractor's address, and making editorial clarifications for system of records: 09-15-0054, "Health Care Practitioner Adverse Credentialing Data Bank, HHS/HRSA/BHPr", now titled "National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners, HHS/HRSA/BHPr."

DATES: PHS invites interested parties to submit comments on the new proposed routine use (Number 3 in the following notice) on or before March 30, 1990. This routine use will become effective without further notice 30 days after the date of publication unless PHS receives comments which would result in a contrary determination.

ADDRESSES: Please address comments on the new routine use to the Health Resources and Services Administration (HRSA) Privacy Act Coordinator, Department of Health and Human Services, Parklawn Building, Room 14A-20, 5600 Fishers Lane, Rockville, Maryland 20857, telephone (301) 443-3780. This is not a toll-free number.

FOR FURTHER INFORMATION CONTACT: Director, Division of Quality Assurance

and Liability Management, BHP/HRSA, Room 8-67, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, telephone (301) 443-2300. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On September 14, 1987, the Bureau of Health Professions, HRSA originally published a notice establishing this system of records under the title "Health Care Practitioner Adverse Credentialing Data Bank, HHS/HRSA/BHPr." Nine individuals/entities commented on the Notice. The commenters addressed the dispute system (i.e., procedures for contesting records); the issue of attorney access to Data Bank information; the participation of professional societies in the Data Bank and the disclosure of data to them; informing individuals each time information on them is entered into the Data Bank; permitting hospitals to request data concerning physicians and other health care practitioners in connection with employment contractual arrangements involving patient care; and the statement regarding disclosure of records to a hospital "at other times as it needs them" as an inappropriate limitation since it is not provided for in the Health Care Quality Improvement Act of 1986.

We carefully considered the comments and found that the Public Health Amendments of 1987 (Pub. L. 100-177) which amended the Health Care Quality Improvement Act of 1986 (Pub. L. 99-660) and the title IV Final Regulations which were published on October 17, 1989, resolved the issues the commenters presented regarding the disclosure of information from the system. The original system of records is being revised to reflect changes necessitated by the amendments to the Act and the Final Regulations.

The name of this system of records has been changed from "Health Care Practitioner Adverse Credentialing Data Bank, HHS/HRSA/BHPr" to "National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners, HHS/HRSA/BHPr," which corresponds to the title used in the title IV Final Regulations.

We have clarified the system notice by noting in the Categories of Records section that the Data Bank will maintain a copy of all inquiries it receives. The inquiry file will be used to support the Data Bank's billing system.

The term "health care entity" as used in this system notice is defined in 42 CFR 60.3 to mean: (1) A hospital; (2) an entity that provides health care services, and engages in professional review

activity through a formal peer review process for the purpose of furthering quality health care, or a committee of that entity; or (3) a professional society or a committee or agent thereof, which may be at the national, State, or local level, of physicians, dentists, or other health care practitioners that engages in professional review activity through a formal peer review process, for the purpose of furthering quality health care.

Because a new routine use is being added as the third routine use, the routine uses currently numbered as three through six are respectively renumbered four through seven. The new (third) routine use allows a health care entity, as defined in this notice, to obtain information with respect to the professional review activity it undertakes. The purpose of these disclosures is to aid health care entities in the conduct of professional review activities.

The second routine use has been rewritten to permit other health care entities, as defined in this notice, to request information when a physician, dentist or other health care practitioner has applied for clinical privileges or appointment to the medical staff or has entered or may be entering an employment or affiliation relationship with the entity. The purpose of these disclosures is to identify individuals whose professional performance or professional conduct may be unsatisfactory.

In response to regulations and public comments, the fifth routine use has been revised to allow an attorney, or individual representing himself or herself, who has filed a medical malpractice action or claim in a State or Federal court or other adjudicative body against a hospital, and who requests information regarding a specific physician, dentist, or other health care practitioner who is also named in the action or claim to request information, provided, that this information will be disclosed only upon the submission of evidence that the hospital failed to request information from the Bank as required by law. Such information may be used solely with respect to litigation resulting from the action or claim against the hospital.

The following notice is written in the present tense, rather than the future tense, in order to avoid the unnecessary expenditure of public funds to republish the notice after the new routine use has become effective.

Dated: February 15, 1990.

Wilford J. Forbush,
Deputy Assistant Secretary for Health
Operations and Director, Office of
Management.

09-15-0054

SYSTEM NAME:

National Practitioner Data Bank for
Adverse Information on Physicians and
Other Health Care Practitioners, HHS/
HRSA/BHPr.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The Unisys Corporation (the
Contractor) operates the National
Practitioner Data Bank (the Bank) under
contract with the Bureau of Health
Professions (BHPr), Health Resources
and Services Administration (HRSA).
Records are located at the following
address: National Practitioner Data
Bank, P.O. Box 6050, Camarillo,
California 93011-6050.

**CATEGORIES OF INDIVIDUALS COVERED BY THE
SYSTEM:**

Health care practitioners, including
physicians, dentists, and all other health
care practitioners (such as nurses,
optometrists, pharmacists, and
podiatrists), licensed or otherwise
authorized by a State to provide health
care services, on whose behalf a
payment has been made as a result of a
malpractice action or claim; physicians
and dentists who are the subject of
licensure disciplinary actions; and
physicians, dentists and other health
care practitioners who are on medical
staffs or who hold clinical privileges, or
who are members of professional
societies, against whom certain adverse
actions have been taken as a result of a
professional review action.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *For malpractice payments.*
Information on the physician, dentist or
other licensed health care practitioner
such as name; work address; home
address, if known; Social Security
number, if known and obtained in
accordance with section 7 of the Privacy
Act of 1974; date of birth; name of each
professional school attended and year of
graduation; for each professional
license: The license number, the field of
licensure, and the name of the State or
Territory in which the license is held;
Drug Enforcement Administration
registration number(s), if known; and
name of each hospital with which the
practitioner is affiliated, if known.

Information on the person or entity
making the payment, such as the name

and address of the person or entity
making the payment; and the name, title,
and telephone number of the responsible
official submitting the report on behalf
of the entity.

Information on the payment, such as
the date of occurrence of the acts or
omissions upon which the action or
claim was based occurred; date and
amount of payment; description of the
acts or omissions and injuries or
illnesses upon which the action or claim
was based; and classification of the acts
or omissions per reporting code.

2. *For State Medical or Dental Board
actions.* Information such as: The
physician's or dentist's name; work
address; home address, if known; Social
Security number, if known and if
obtained in accordance with section 7 of
the Privacy Act of 1974; date of birth;
name of each professional school
attended and year of graduation; for
each professional license: The license
number, the field of licensure, and the
name of the State or Territory in which
the license is held; Drug Enforcement
Administration registration number, if
known; description of the acts or
omissions or other reasons for the action
taken; description of the Board action;
the date the action was taken, and its
effective date; and classification of the
action per reporting code.

3. *For certain professional review
actions.* Information such as the
physician's, dentist's or other health
care practitioner's name; work address;
home address, if known; date of birth;
name of each professional school
attended and year of graduation; for
each professional license: the license
number, the field of licensure, and the
name of the State or Territory in which
the license is held; Drug Enforcement
Administration registration number, if
known; Social Security number, if
known and if obtained in accordance
with section 7 of the Privacy Act of 1974;
description of the acts or Omissions or
other reasons for clinical privilege or
professional society membership loss,
or, if known, for surrender; and action
taken, date the action was taken, and
effective date of the action.

4. *Inquiry file.* Copies of all inquiries
received by the Data Bank.

**AUTHORITY FOR MAINTENANCE OF THE
SYSTEM:**

The Health Care Quality Improvement
Act of 1986 (the Act), as amended,
section 424(b) (42 U.S.C. 11134(b))
authorizes the maintenance of records of
medical malpractice payments,
disciplinary actions taken by Boards of
Medical Examiners, and professional

review actions taken by health care entities.

PURPOSES:

The purposes of the system are to (1) receive from insurance companies and others making payments as a result of malpractice actions or claims, State Medical and Dental Boards, and health care entities, information pertaining to the professional performance or conduct of physicians, dentists and other licensed health care practitioners; and (2) disseminate such data to health care entities, to State professional licensing boards, and to others as authorized by the Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Data may be disclosed to:

1. A hospital requesting data concerning a physician, dentist or other health care practitioner who is on its medical staff (courtesy or otherwise) or who has clinical privileges at the hospital, for the purpose of: (a) Screening the professional qualifications of individuals who apply for staff positions or clinical privileges at the hospital; and (b) meeting the requirements of the Health Care Quality Improvement Act of 1986, which also prescribes that a hospital must query the Bank once every two years regarding all individuals on its medical staff or who hold clinical privileges.

2. Other health care entities, as defined in 42 CFR 60.3, to which a physician, dentist or other health care practitioner has applied for clinical privileges or appointment to the medical staff or who has entered or may be entering an employment or affiliation relationship. The purpose of these disclosures is to identify individuals whose professional performance or professional conduct may be unsatisfactory.

3. A health care entity with respect to professional review activity. The purpose of these disclosures is to aid health care entities in the conduct of professional review activities, such as those involving determinations of whether a physician, dentist, or other health care practitioner may be granted membership in a professional society; the conditions of such membership; or of changes to such membership; and ongoing professional review activities conducted by a health care entity which provides health care services, of the professional performance or professional conduct of a physician, dentist, or other health care practitioner.

4. A State professional licensing board conducting a review of an individual.

The purpose of these disclosures is to aid the board in meeting its responsibility to protect the health of the population in its jurisdiction, by identifying individuals whose professional performance or professional conduct may be unsatisfactory.

5. An attorney, or individual representing himself or herself, who has filed a medical malpractice action or claim in a State or Federal court or other adjudicative body against a hospital, and who requests information regarding a specific physician, dentist, or other health care practitioner who is also named in the action or claim provided that (a) this information will be disclosed only upon the submission of evidence that the hospital failed to request information from the Bank as required by law, and (b) the information will be used solely with respect to litigation resulting from the action or claim against the hospital. The purpose of these disclosures is to permit an attorney (or a person representing himself or herself in a medical malpractice action) to have information from the Bank on a health care practitioner, under the conditions set out in this routine use.

6. Any Federal entity, employing or otherwise engaging under arrangement (e.g., such as a contract) the services of a physician, dentist, or other health care practitioner, or having the authority to sanction such practitioners covered by a Federal program, which (a) enters into a memorandum of understanding with HHS regarding its participation in the Bank; (b) engages in a professional review activity in determining an adverse action against a practitioner; and, (c) maintains a Privacy Act system of records regarding the health care practitioners it employs, or whose services it engages under arrangement. The purpose of such disclosures is to enable hospitals and other facilities and health care providers under the jurisdiction of Federal agencies such as the Public Health Service, HHS; the Department of Defense; the Department of Veterans' Affairs; the U.S. Coast Guard; and the Bureau of Prisons, Department of Justice, to participate in the Bank. The Health Care Quality Improvement Act of 1986 includes provisions regarding the participation of such agencies, and of the Federal Drug Enforcement Administration, in the Bank.

7. In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines

that the claim if successful, is likely to affect directly the operation of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Department of Justice has agreed to represent such employee, for example in defending a claim against the Public Health Service based upon an individual's mental or physical condition and alleged to have arisen because of activities of the Public Health Service in connection with such individual, disclosures may be made to the Department of Justice to enable the Department to present an effective defense, provided that such disclosure is compatible with the purpose for which the records were collected.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders, on magnetic tape, and/or in disk packs.

RETRIEVABILITY:

Retrieval will be by use of personal identifiers, including a unique identifier assigned by the Bank.

SAFEGUARDS:

1. *Authorized Users:* Access to records is limited to designated employees of the Contractor and to designated HRSA staff. The Bank Project Director, Assistant Project Director, and Manager of Operations are among the Contractor's employees who are authorized users. The System Manager, AIS Security Officer, and the Bank Project Officer are among the HRSA staff who are authorized users. Both HRSA and the Contractor shall maintain current lists of authorized users.

2. *Physical Safeguards:* Magnetic tapes, disk packs, computer equipment, and hard copy files are stored in areas where fire and life safety codes are strictly enforced. All automated and nonautomated documents are protected on a 24-hour basis. Perimeter security includes intrusion alarms, on-site guard force, random guard patrol, monitors, key/passcard/combination controls, receptionist controlled area, and receptionist alarm button.

3. *Procedural Safeguards:* A password is required to access the terminal, and a data set name controls the release of data to only authorized users. All users of personal information in connection with the performance of their jobs protect information from public view and from unauthorized personnel entering an unsupervised area. All

authorized users will sign a nondisclosure statement. All passwords, keys and/or combinations are changed when a person leaves or no longer has authorized duties. Procedures are followed for monitoring automatic auditing capability to record use activity (system logs, console logs, etc.).

Access to records is limited to those authorized personnel trained in accordance with the Privacy Act and ADP security procedures. The Contractor is required to assure the confidentiality safeguards of these records and to comply with all provisions of the Privacy Act. All individuals who have access to these records must have the appropriate ADP security clearances. Privacy Act and ADP system security requirements are included in the contract with the Unisys Corporation. The Bank Project Officer and the System Manager oversee compliance with these requirements. HRSA staff who are authorized users will make site visits to the Contractor's facilities to assure compliance with security and Privacy Act requirements.

The safeguards described above were established in accordance with DHHS Chapter 45-13 and supplementary Chapter PHS hf: 45-13 of the General Administration Manual; and the DHHS Information Resources Management Manual, Part 6, "ADP Systems Security."

RETENTION AND DISPOSAL:

1. Source Documents: Authorized Disposition is temporary. Hardcopy source document will be destroyed upon conversion to microfilm following verification of entry of data to magnetic tape. Microfilm will be disposed of when no longer needed to support the reconstruction of, or serve as the backup to, the master file, whichever is later.

2. Magnetic tapes and related documentation containing final edited data (except names and other information that could identify individual physicians, dentists, or other health care practitioners or entities). Related documentation includes data system specifications, file specifications, codebooks, record layouts, user guides, and other materials necessary to run the magnetic tapes: Authorized disposition is permanent. Tapes and documentation will be transferred to the National Archives nine years after creation and verification of initial file. Transfer of updated tapes will be every five years thereafter.

3. Magnetic data tapes containing names and other information that would identify individuals. Authorized disposition is temporary. This information will be destroyed when the Bank Project Officer determines that

files are no longer needed for current business.

SYSTEM MANAGER AND ADDRESS:

Director, Division of Quality Assurance and Liability Management, Bureau of Health Professions, Health Resources and Services Administration, Room 8-67, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857.

NOTIFICATION PROCEDURE:

An individual is informed when a record concerning himself or herself is entered into the Bank.

Requests by mail: You may write to the Contractor at the address under system location. Your request must contain the following information: Your name and address; the identification code assigned to you by the Bank, if such has been assigned to you; your Social Security number, if you wish to provide it; for each professional license that you hold: The license number, the field of licensure, and the name of the State or Territory in which the license is held; your Drug Enforcement Administration registration number(s), if you have one (or more); and, a signed statement that you are the person whom you claim to be and that you understand that the request for records (or acquisition of records pertaining to another individual) under false pretenses is a criminal offense subject to, at a minimum, a \$5,000 fine under provisions of the Privacy Act and to a \$10,000 fine under provisions of the Health Care Quality Improvement Act of 1986.

Alternatively, an individual may use the Bank's "Request for Information Disclosure" form to request information about himself or herself. This option is provided for those individuals who find it convenient.

Requests in person: The individual must meet all the requirements stated above for a request by mail, providing the information in written form. The individual should recognize that, because of the Contractor's internal verification procedures, securing information in person may be time consuming.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also provide a description of the record contents being sought. Requesters also may request an accounting of disclosures that have been made of their records, if any.

PROCEDURES FOR CONTESTING RECORDS:

Any record subject may contest the accuracy of information in the Bank concerning himself or herself and file a dispute. The Bank will routinely mail a copy of any report filed in it to the subject individual. The record subject has 60 days from the date on which the Bank mails the report in question to him or her in which to dispute the accuracy of the report. To dispute the accuracy of the information, the individual must notify the Bank by: Identifying the record involved; specifying the information being contested; stating the corrective action sought and reason for requesting the correction; and submitting supporting justification and/or documentation to show how the record is inaccurate. At the same time, the individual must notify the reporting entity, in writing.

Additional detail on the process of dispute resolution can be found at 45 CFR part 60, § 60.14.

RECORD SOURCE CATEGORIES:

Individuals whose records are contained in the system; insurance companies and others who have made payment as a result of a malpractice action or claim; State Medical Boards; State Boards of Dentistry; State Licensing Boards; hospitals and other health care entities as defined in the Act; the Drug Enforcement Administration; and Federal entities which employ health practitioners or which have authority to sanction such practitioners covered by a Federal program.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 90-4515 Filed 2-27-90; 8:45 am]

BILLING CODE 4160-15-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

National Environmental Policy Act; Implementing Procedures

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of additions to the Department of the Interior's Categorical Exclusions for the Office of Surface Mining Reclamation and Enforcement.

SUMMARY: The Department of the Interior is adding certain categories to the categorical exclusions included in the Departmental Manual 516 DM 6, appendix 8, that lists actions excluded from the National Environmental Policy Act (NEPA) procedures for the Office of

Surface Mining Reclamation and Enforcement (OSM). The categorical exclusions pertain to activities conducted under the Surface Mining Control and Reclamation Act (SMCRA) and were proposed on August 1, 1989. The Department held a 30-day comment period from August 1, 1989, to August 31, 1989. No comments were received, and the additions are being adopted as proposed.

DATES: These additions are effective March 30, 1990.

FOR FURTHER INFORMATION CONTACT:

Dr. Jonathan P. Deason, Office of Environmental Affairs, MS 2340, Department of the Interior, Washington, DC 20240; telephone (202) 343-3891. For OSM, Catherine Roy, Office of Surface Mining Reclamation and Enforcement, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240; telephone (202) 343-5143.

SUPPLEMENTARY INFORMATION: The categorical exclusions are being added to the list of categorical exclusions in the Department of the Interior's Manual (516 DM 6, appendix 8). They exclude certain activities conducted under title IV of SMCRA from further review for compliance with NEPA. Title IV sets out provisions for the reclamation of abandoned mines and authorizes the Secretary to provide grants to States for this purpose. The exclusions are similar to Departmental categorical exclusion 1.3, which excludes actions such as routine financial transactions and transfers of funds.

The Department has previously reviewed the activities authorized under title IV and excluded certain decisions relative to the approval of grants under the abandoned mine land (AML) program. The Department has now received additional activities relating to the AML grants program and concludes that three new categorical exclusions, added as subparagraphs 8.4.B (30), (31), and (32) to appendix 8, should be added. The excluded activities are limited to (1) administrative grants for the development or review of project proposals rather than to the actual operation or conduct of AML reclamation projects, (2) the transfer of AML funds to States and Tribes to be used in a special trust for future AML projects, and (3) the transfer of AML funds to be used as seed money for State-administered insurance for subsidence damage. These additional activities are categories of actions which do not individually or cumulatively have a significant effect on the human environment. If any of the exceptions to categorical exclusions listed in appendix 2 to 516 DM 2 apply to

individual actions within these proposed exclusions, however, an environmental document must be prepared.

Appendix 8 must be taken in conjunction with the Department's procedures (516 DM 1-6) and the Council on Environmental Quality regulations implementing the procedural provisions of NEPA (40 CFR 1500-1508). The Department's procedures were published in the *Federal Register* on April 29, 1980 (45 FR 27541), and revised on May 21, 1984 (49 FR 21437). Appendix 8 for OSM was published on January 23, 1981 (46 FR 7487). The three new categories being adopted were proposed on August 1, 1989 (54 FR 31735).

In proposing these additions, the Department asked for public comments during a 30-day comment period, ending August 31, 1989. No comments were received.

Categorical Exclusion 30: Administrative Grants for the Development of Project Proposals for AML Grants. The Secretary may award grants to States or Indian Tribes for activities to reclaim and restore land and water resources damaged by past coal mining, including abandoned surface mine areas, abandoned coal processing areas, sealing and filling abandoned deep mine entries and voids, planting of land adversely affected by past coal mining to prevent erosion and control of water pollution created by coal mine drainage (section 401(c)(1) of SMCRA). The grants are awarded in two separate, independent stages.

First, OSM awards administrative grants to States or Indian tribes for the development of a construction grant application, or project proposal. Approval of these grants in no way commits OSM to award a grant for the construction project. The primary work resulting from these "first-stage" grants is administrative in nature, as it involves the development of an AML grant proposal and has no effect on the human environment.

In the second stage, OSM awards grants for the actual construction project. The decision on which construction grants to award is based in part on the results of the analysis in a NEPA document prepared on the proposed project. This document examines the specific environment of the proposed reclamation project and identifies both short-term and long-term effects on the environment expected from the project. Impacts from activities such as closing and sealing a specific portal are examined for their potential environmental effects. Attention is given to specific critical resources such as wildlife in the area, particularly

threatened and endangered bat or rodent species. Mitigation plans are also identified.

Categorical Exclusion 30 includes only the decision to award grants for the purpose of developing a construction grant application. The decision to award a construction grant will continue to be subject to the NEPA process.

Categorical Exclusion 31: Use of AML funds to allow States or Tribes to set aside State share funds in a special trust fund for future AML projects. The Secretary may allow States or Tribes with approved AML programs to retain up to 10 percent of their annual State-share allocation in a special interest-bearing trust fund to be used after August 3, 1992, for AML activities. This action would not have any effect on the human environment because it merely transfers monies to a State fund and no projects are identified for use of the funds. In the event that the authority to collect AML fees is not extended past the 1992 date, the future use of the funds to continue reclamation activities after all collected funds have been appropriated to OSM to grant or expend would be a State action not subject to NEPA.

Categorical Exclusion 32: Use of AML funds in an insurance pool for the purposes of compensation for damage caused by mining prior to the date of the Act. In States with approved reclamation programs but no private insurance coverage available, the Secretary may grant funds to be used as "seed money" for a State-administered insurance pool for damage caused by subsidence resulting from underground mining. OSM does not consider the transfer of AML funds for the purpose of establishing a subsidence insurance program to cause any effects on the quality of the human environment.

Outline: Chapter 6 (516 DM 6) Managing the NEPA Process.

Appendix 8—Office of Surface Mining Reclamation and Enforcement.

8.4 Categorical Exclusions.

Dated: February 22, 1990.

Jonathan P. Deason,

Director, Office of Environmental Affairs.

516 DM 6, Appendix 8

Office of Surface Mining Reclamation and Enforcement

8.4 Categorical Exclusions

* * * * *

B. * * *

(30) Development of project proposals for AML grants, including field work only to the extent necessary for the preparation and design of the proposal.

(31) Use of AML funds to allow States or Tribes to set aside State share funds in a special trust for future AML projects.

(32) Use of AML funds in an insurance pool for the purposes of compensation for damage caused by mining prior to the date of the Act.

[FR Doc. 90-4573 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-10-M

Bureau of Land Management

[CA-060-00-4410-04-ADVB]

Meeting of the California Desert District Advisory Council

SUMMARY: Notice is hereby given, in accordance with Public Laws 92-463 and 94-579, that the California Desert District Advisory Council to the Bureau of Land Management, U.S. Department of the Interior, will meet in formal session Thursday, March 22, 1990, from 8 a.m. to 5 p.m., and Saturday, March 24, 1990, from 8 a.m. to 5 p.m., in Rancho California Water District's community room, 28061 Diaz Road, Temecula, California.

On Friday, March 23, from 8 a.m. to 5 p.m., Council members will participate in a field trip to Blue Canyon and Beauty Mountain Wilderness Study Area in San Diego County, and Canyon Lake and Steele Peak in Riverside County. The issues to be discussed include a proposed county landfill site (Blue Canyon), maintaining open space in an urban environment (Beauty Mountain, Canyon Lake, and Steele Peak), and habitat for the endangered Stephen's kangaroo rat (Canyon Lake and Steele Peak). The public is welcome to participate in the field tour, but must provide their own transportation, lunch, and drinks. Anyone interested in participating should meet the Council at the Comfort Inn, 27338 Jefferson Avenue, in Temecula by 7:45 a.m. on March 23.

Agenda items for the formal meetings will include:

- Council recommendations as to preferred alternatives for the 1989-90 California Desert Conservation Area Plan Amendments Environmental Impact Statement (EIS);
- Desert tortoise related issues in general;
- Status of the Viceroy's Castle Mountain Project EIS;
- Wind energy development, a followup to the December Council meeting;
- A briefing on route designations, including current status, a workgroup report, and a discussion and review of the easement acquisition program;

- A briefing and discussion on BLM's Back Country Byways program and its new Showcase program;

- An update on U.S. Ecology's analysis and EIS on Low Level Radioactive Disposal sites;

- Santa Rosa Mountains National Scenic Area designation briefing and discussion;

- A report and discussion on Areas of Critical Environmental Concern, including BLM's policies regarding their importance and designation, and their effect on public land management; and

- A status report on the South Coast Resource Management Plan, including a review of the issues identified by the public and future public involvement opportunities.

All formal Council meetings are open to the public, with time allocated for public comments, such time made available by the Council Chairman during presentations of various agenda items.

Written comments may be filed in advance of the meeting with the California Desert District Advisory Council Chairman, Mr. David Fisher, c/o Bureau of Land Management, Public Affairs Office, 1695 Spruce Street, Riverside, California 92507. Written comments are also accepted at the time of the meeting and, if copies are provided to the recorder, will be incorporated into the minutes.

FOR FURTHER INFORMATION AND MEETING CONFIRMATION: Contact the Bureau of Land Management, California Desert District, Public Affairs Office, 1695 Spruce Street, Riverside, California 92507; (714) 351-6383.

Dated: February 20, 1990.

Gerald E. Hillier,

District Manager.

[FR Doc. 90-4496 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-40-M

[NM-030-00-4212-11; NMNM77648]

Recreation and Public Purposes Lease/Patent in Las Cruces, NM

AGENCY: Bureau of Land Management (BLM).

ACTION: Notice of realty action.

SUMMARY: The following described parcel of public land has been examined and identified as suitable for lease/patent under section 212 of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (90 Stat. 2750; 43 U.S.C. 1713):

T. 23 S., R. 2 E., NMPM
Section 9, Lot 7.

The subject land contains 41.89 acres and will be offered to the Las Cruces Public School District No. 2 for the Onate High School. The selection of the subject land by the school district is in accord with a Memorandum of Understanding signed by the BLM and the Las Cruces Public School District to set aside public land specifically for their use. The subject land has been identified for disposal for this use in the Bureau's Record of Decision for the Southern Rio Grande Plan Amendment (December 1986).

DATES: Comments should be submitted on or before April 16, 1990.

ADDRESSES: Comments should be sent to the BLM, Las Cruces District Office, 1800 Marquess, Las Cruces, New Mexico 88005.

FOR FURTHER INFORMATION CONTACT: Marvin M. James at the address above or at (505) 525-8228.

SUPPLEMENTARY INFORMATION: The lease/patent will be subject to:

1. A reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States in accordance with 43 U.S.C. 945.

2. All valid existing rights of record. Publication of this notice in the **Federal Register** will segregate the public land from appropriations under the public land laws, including the mining laws but not mineral leasing laws. This segregation will terminate upon the issuance of a patent or 2 years from date of publication of this notice in the **Federal Register** or upon publication of a Notice of Termination.

Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

Dated: February 20, 1990.

H. James Fox,
District Manager.

[FR Doc. 90-4567 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-FB-M

[OR-010-00-4212-13; GPO-130]

Realty Action; Exchange of Public Lands in Klamath County, OR

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUBJECT: Exchange of public lands in Klamath County, Oregon.

The following described public lands have been determined to be suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

Willamette Meridian

- T. 37 S., R. 9 E.
 Sec. 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
 Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$
 T. 37 S., R. 12 E.
 Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
 Sec. 35, lots 2 and 3
 T. 37 S., R. 13 E.
 Sec. 1, lots 5 and 7
 Sec. 11, SE $\frac{1}{4}$ NW $\frac{1}{4}$
 T. 38 S., R. 12 E.
 Sec. 5, W $\frac{1}{2}$ SW $\frac{1}{4}$
 Sec. 6, NE $\frac{1}{4}$ SE $\frac{1}{4}$

The area described aggregates approximately 977.73(\pm) acres in Klamath County, Oregon.

In exchange for these lands, the Federal Government will acquire the following described private lands from the Weyerhaeuser Company:

Willamette Meridian

- T. 38 S., R. 11 E.
 Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Sec. 12, E $\frac{1}{2}$ E $\frac{1}{2}$
 Sec. 13, E $\frac{1}{2}$ E $\frac{1}{2}$
 T. 38 S., R. 13 E.
 Sec. 33, SW $\frac{1}{4}$ SW $\frac{1}{4}$
 T. 39 S., R. 14 E.
 Sec. 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Sec. 2, ALL
 Sec. 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Sec. 4, lot 1
 Sec. 11, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Sec. 12, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

The area described aggregates approximately 2045.15(\pm) acres in Klamath County, Oregon.

The purpose of the exchange is to facilitate resource management opportunities in the Klamath Falls Resource area as identified in the Lost River Management Framework Plan and the 1988 amendment. The private lands being offered have important values for recreation, wildlife habitat, and timber management. The public interest will be highly served by making the exchange.

The value of the lands to be exchanged are approximately equal, and the acreage will be adjusted to equalize the values upon completion of the final appraisal of the lands.

The exchange will be subject to:

1. The reservation to the United States of a right-of-way for ditches and canals constructed under the authority of the Act of August 30, 1890 (43 U.S.C. 945).

2. The mineral estate may be reserved in the final patent.

3. All other valid existing rights, including but not limited to any right-of-way, easement or lease of record.

The publication of this notice in the **Federal Register** will segregate the public lands described above to the extent that they will not be subject to appropriation under the public land laws, including the mining laws. As provided by the regulations of 43 CFR 2201.1(b), any subsequently tendered application, allowance of which is discretionary, shall not be considered as filed and shall not be returned to the applicant.

Detailed information concerning this exchange, including the environmental analysis and record of public discussion, is available for review at the Klamath Falls Resource area office 2795 Anderson Ave., Bldg. 25, Klamath Falls, OR 97603 or the Lakeview District Office, P.O. Box 151, Lakeview, OR 97630.

For a period of 45 days from the date of publication of this notice in the **Federal Register** interested parties may submit comments to the Lakeview District Manager at the above address.

Objections will be reviewed by the State Director who may sustain, vacate, or modify this realty action. In absence of any objections, this realty action will become the final determination of the Department of the Interior.

Judy Ellen Nelson,

District Manager.

[FR Doc. 90-4568 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-33-M

Bureau of Land Management

[UT-930-00-4332-09]

**Wilderness Study Areas;
 Characteristics, Inventories, etc.:
 Mineral Survey Reports—Utah**

AGENCY: Bureau of Land Management.

ACTION: Notice of availability, mineral survey reports.

SUMMARY: The Utah State Office, Bureau of Land Management (BLM) is requesting the public to review twenty-two (22) combined U.S. Geological Survey (USGS) and U.S. Bureau of Mines (USBM) Mineral Survey Reports which have been completed for thirty-six (36) preliminary suitable Wilderness Study Areas (WSAs). If the public submits significant new minerals data or identifies significant differences in interpretation of the data presented in the reports, the BLM will request USGS and USBM evaluate these comments. The BLM will consider the USGS and

USBM evaluations as well as the Mineral Survey Report in developing final wilderness suitability recommendations.

DATES AND ADDRESSES FOR COMMENTS:

New information will be accepted on the reports enumerated in this notice until April 30, 1990, and should be addressed to: Howard Lemm, Deputy State Director, Mineral Resources, Bureau of Land Management, Utah State Office, (U-920), P.O. Box 45155, Salt Lake City, Utah 84145-0155.

SUPPLEMENTARY INFORMATION: Section 603 of the Federal Land Policy and Management Act of 1979, 90 Stat. 2785, directed the Secretary of the Interior to inventory lands having wilderness characteristics as described in Wilderness Act of September 3, 1964, and report to the President his recommendations as to the suitability or nonsuitability of each area for preservation as wilderness. The USGS and USBM are charged with conducting mineral surveys for areas that have been preliminarily recommended suitable for inclusion into the wilderness system, to determine the mineral values, if any, that may be present in such areas.

There are eighty-three (83) Wilderness Study Areas identified by BLM Utah, of which all or part of sixty-six (66) will be included in the proposed action alternative in BLM's Final Statewide Wilderness EIS. To date, twenty-nine (29) combined Mineral Survey Reports have been completed by USGS and USBM, covering forty-five (45) Wilderness Study Areas.

Copies of the completed Mineral Survey Reports may be reviewed in a BLM District Office with jurisdiction over the Wilderness Study Area and in the Utah State Office in Salt Lake City. Copies are available for purchase from U.S. Geological Survey, Federal Building, room 8105, 125 South State Street, Salt Lake City, Utah 84138.

To ensure that all available minerals data are considered by the BLM prior to making final recommendations to the Secretary of the Interior, the Utah State Director is providing this public review and comment period. Usually, there is a one to two year lag time between actual field work and printing of a Mineral Survey Report. New information may have been collected by the public during this lag time or the public may have a new interpretation of the data presented in the Mineral Survey Report. Any new data or new interpretation of data in the reports will be screened for its significance and validity by the BLM. Significant new minerals data or new

interpretations of the minerals data will be forwarded to USGS and USBM for further consideration. Evaluations received by the BLM from the USGS and USBM will be considered by the State Director in the final wilderness suitability recommendations.

Information requested from the public via this notice is not limited to a specific energy or mineral resource. Information may be in the form of a letter and should be as specific as possible. Comments should include:

1. The name and number of the subject Wilderness Study Area and Mineral Survey Report.
2. The mineral(s) of interest.
3. A map or land description by legal subdivision of the public land survey or protracted survey showing the specific parcel(s) of concern within the subject Wilderness Study Area.
4. The name, address and telephone number of the person who may be contacted by technical personnel of the BLM, USGS, or USBM assigned to review the information.

Geologic maps, cross section, drill hole logs, sample analyses, etc. should be included. Published literature and reports may be cited. All detailed information submitted and marked "Confidential" will be treated as proprietary and not released to the public without consent, however, it must be understood that general conclusions drawn from confidential information may be made public as part of the wilderness review process.

The following is a list of available Mineral Survey Reports on which new information will be accepted.

WSA No.		Report No.
UT-050-127	Fish Springs	B-1745-A
UT-020-089	North Stansbury Mountains	B-1745B
UT-040-143	Canaan Mountain	
UT-040-149	The Watchman	B-1746-A
UT-040-230	Parunuweap Canyon	B-1746-B
UT-040-046	Cottonwood Canyon	B-1746-C
UT-040-132	Red Mountain	B-1746-D
UT-040-153(202)	LaVerkin Creek	
UT-040-146	Deep Creek	
UT-040-150(202)	North Fork Virgin River	
UT-040-147	Red Butte	
UT-040-145(202)	Orderville Canyon	
UT-040-154(202)	Taylor Creek Canyon	
UT-040-176(202)	Goose Creek Canyon	
UT-040-177(202)	Bear Trap Canyon	B-1746-E
UT-040-148	Spring Creek Canyon	B-1746-F
UT-040-080	Fifty-Mile Mountain	B-1747-A
ISA	Escalante Canyon Tract V	
UT-040-061	Steep Creek	B-1747-B
UT-040-082	Scorpion	B-1747-C

WSA No.		Report No.
UT-050-061	Swasey Mountain	
UT-050-077	Howell Peak	B-1749-A
UT-050-0731	Wah Wah Mountains	B-1749-B
UT-040-205	Horseshoe Canyon (North)	B-1750
UT-060-140A	Little Rockies	B-1751-A
UT-050-247	Mount Hillers	B-1751-A
UT-050-249	Butler Wash	B-1751-C
UT-060-169	Bridger Wash	
UT-060-167	Bridger Jack Mesa	
UT-060-164	Indian Creek	B-1754-A
UT-060-140A	Behind the Rocks	B-1754-B
UT-060-131B(202)	Lost Springs Canyon	B-1754-C
UT-060-201	Road Canyon	B-1755-B
UT-060-204	Fish Creek Canyon	
UT-060-205B	Mule Canyon	
UT-050-241	Fiddler Butte (East)	B-1759-B

Reports available for review in BLM offices may not be sold or removed from the office.

FOR FURTHER INFORMATION CONTACT:

Howard Lemm or James Kohler, Division of Mineral Resources, Utah State Office (U-920), 324 South State, suite 301, Salt Lake City, Utah 84111-2303, (801) 539-4037.

Dated: February 16, 1990.

James M. Parker,

State Director, Utah.

[FR Doc. 90-4506 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-DQ-M

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

Applicant: Gibbon and Gallinaceous Bird Cen., PRT 746279, Santa Clarita, CA.

The applicant requests a permit to import one male silvery gibbon (*Hylobates moloch*) of wild origin from the Moscow Zoo, Moscow, USSR for the purpose of enhancement of propagation.

Applicant: American Association of Zoological Parks and Aquariums, PRT 746255, Oklahoma City, OK.

The applicant requests a permit to import 60 cheetahs (*Acinonyx jubatus*) from Namibia (South Africa) over a two year period. The cheetahs will be part of a research and breeding program designed to evaluate and improve physiological, epidemiological and ethological characters which influence reproduction and survival of the species.

Applicant: Henry Doorly Zoo, PRT 746651, Omaha, NE.

The applicant requests a permit to import one captive-born male Siberian

tiger (*Panthera tigris altaica*) from the Tierpark Berlin, East Germany, for captive breeding purposes.

Applicant: Hawthorn Corporation, PRT 746648, Grayslake, IL.

The applicant requests a permit to import two captive-born female tigers (*Panthera tigris*) born to applicant's tigers performing in Japan. The tigers will be used for breeding and display purposes by the applicant and will be exported and reimported in the future for such purposes.

Applicant: Fort Worth Zoological Park, PRT 746192, Fort Worth, TX.

The applicant requests a permit to import one male and one female Asiatic one-horned rhinoceros (*Rhinoceros unicornis*) of wild origin from the Chitwan National Park, Nepal, for the purpose of enhancement of propagation and survival of the species.

Applicant: U.S. Fish and Wildlife Service, Regional Director, Region 3, PRT 697830, Twin Cities, MN.

The applicant request an amendment to their current permit to include take of additional plant and animal species for scientific purposes and the enhancement of propagation or survival in accordance with Recovery Plans, listing, or other Service work for those species.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) in Room 430, 4401 N. Fairfax Dr., Arlington, VA 22201, or by writing to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, P.O. Box 3507, Arlington, VA 22203-3507.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

Dated: February 21, 1990.

Karen Willson,

Acting Chief, Branch of Permits, U.S. Office of Management Authority.

[FR Doc. 90-4474 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-55-M

Issuance of Marine Mammal Permit; Marine World-Umino-Nakamichi

Applicant: Marine World-Umino-Nakamichi, PRT-735558, Fukuoka, Japan.

On March 27, 1989, a notice was published in the Federal Register (Vol.

54, No. 57) that an application had been filed with the Fish and Wildlife Service (Service) by Marine World-Umino-Nakamichi, Kaiyo Seitai Kagakukan Co. Ltd., Fukuoka, Fukuoka-Pref., 811-03 Japan, for a permit to capture and export five Alaska sea otters for the purpose of public display. The sea otters were to be captured in or near the Prince William Sound, Alaska.

The Marine World-Umino-Nakamichi application was subsequently withdrawn by the Office of Management Authority following the occurrence of the Exxon Valdez oil spill in the Prince William Sound on March 24, 1989. During the oil spill recovery effort, the Service rescued several sea otters which were deemed nonreleasable and were transferred to the Point Defiance Aquarium in Tacoma, Washington, for intensive care and monitoring. Marine World-Umino-Nakamichi offered to accept nonreleasable otters on permanent loan from the Fish and Wildlife Service in lieu of pursuing a permit to take otters from the wild. The public comment period was reopened on December 28, 1989, offering the public 30 days to comment on the amended application.

Notice is hereby given that on February 14, 1990, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the Fish and Wildlife Service issued the permit to take four nonreleasable otters for public display subject to certain conditions set forth therein.

The permit is available for public inspection during normal business hours at the Fish and Wildlife Service's Office of Management Authority in Room 430, 4410 N. Fairfax Drive, Arlington, Virginia.

Dated: February 21, 1990.

R.K. Robinson,
Chief, Branch of Permits, Office of
Management Authority.

[FR Doc. 90-4473 Filed 2-27-90; 8:45 am]

BILLING CODE 4310-55-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-284]

Electric Power Tools, Battery Cartridges, and Battery Chargers; Denial of Motion for Reconsideration of Final Determination; Issuance of Cease and Desist Order

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has denied the complainants' motion for reconsideration of its final determination concerning the alleged violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) (1982 and supp. VII 1989) by respondents in the subject investigation. For the sole violation found to have occurred, the Commission has issued a cease and desist order prohibiting respondent Equipment Importers, Inc., d/b/a Jet Equipment & Tools, Inc. ("Jet"), from importing into the United States or selling after importation electric power tools, battery cartridges, or battery chargers that bear the U.S. Registered Trademark "Makita" (Registration No. 1,204,296) or that are accompanied by sales literature bearing that mark. This prohibition applies except when use of the aforesaid mark is licensed by the trademark registrant or when the prohibited acts are otherwise required by law.

ADDRESSES: Copies of the Commission Order denying the motion for reconsideration, the Cease and Desist Order, the supporting Commission Opinion, and all other nonconfidential documents on the record of the above-captioned investigation will be made available for inspection, upon request, during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., room 112, Washington, DC 20436, telephone (202) 252-1000.

FOR FURTHER INFORMATION CONTACT: P.N. Smith, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone (202) 252-1061. Hearing-impaired persons are advised that information on the aforesaid Commission Order, the Cease and Desist Order, and the subject investigation can be obtained by contacting the Commission's TDD terminal on (202) 252-1810.

SUPPLEMENTARY INFORMATION: As a result of the subject investigation, the Commission determined that there has been no violation of section 337 by any respondent except Jet, who was found to have infringed complainants' registered trademark in the importation or sale of any accused Taiwanese product. See 54 FR 31896 (Aug. 2, 1989).

On August 14, 1989, the complainants filed a motion for reconsideration of that determination (Motion No. 284-139). The Commission investigative attorneys ("IAs") and various respondents filed responses opposing the motion. The Commission has denied the motion for noncompliance with interim

Commission rule 210.60 (19 CFR 210.60). See Commission Order (Feb. 20, 1990).

Because the Commission found that Jet had violated section 337, the Commission solicited written submissions from parties to the investigation, other Federal agencies, and the public on the issues of remedy, the public interest, and bonding. See 54 FR 31896 (Aug. 2, 1989). The only submissions the Commission received were those filed by complainants and the IAs.

After considering those submissions and the record of the investigation, the Commission determined that the appropriate remedy for the violation by Jet is a cease and desist order prohibiting Jet from importing into the United States or selling after importation electric power tools, battery cartridges, or battery chargers that bear the registered trademark "Makita" or are accompanied by sales literature bearing that mark. The Commission determined that the public interest considerations listed in subsection (f)(1) of section 337 do not preclude such relief. The Commission also determined that while the cease and desist order is under review by the President pursuant to subsection (j)(2) of section 337, imported articles covered by the order will be entitled to enter the United States and to be sold in the United States under a bond in the amount of 50 percent of the articles' entered value pursuant to subsection (j)(3) of section 337. See Commission Order and Cease (Feb. 20, 1990) and Desist Order (Feb. 20, 1990).

The Commission denied the complainants' request for additional relief in the form of a limited exclusion order to prevent future importations by Jet involving unlicensed use of the registered trademark "Makita".

The Commission also declined to issue, pursuant to subsection (g)(1) of section 337, remedial orders directed to respondents other than Jet who were not found to have violated section 337 but were found by the Commission and/or the presiding administrative law judge to have defaulted in this investigation.

The reasons for the Commission's findings on all the issues discussed above are set forth in a Commission Opinion supporting the Commission Order and the Cease and Desist Order.

By Order of the Commission.

Issued: February 20, 1990.

Kenneth R. Mason,

Secretary.

[FR Doc. 90-4575 Filed 2-27-90; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-291]

**Certain Insulated Security Chests;
Decision To Review Certain Portions
of Initial Determination**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review certain portions of the initial determination (ID) issued on January 8, 1990, by the presiding administrative law judge (ALJ) in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Carol McCue Verratti, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436; telephone (202) 252-1088. Hearing-impaired individuals are advised that information about this matter can be obtained by contacting the Commission's TDD terminal, (202) 252-1810.

SUPPLEMENTARY INFORMATION: On January 25, 1989, John D. Brush & Co., Inc., filed a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) alleging the importation and sale of certain insulated security chests that infringe claims 1-7 of U.S. Letter Patent 4,048,926 ("the '926 patent") and the claim of U.S. Letter Patent Des. 289,582 ("the '582 patent"). The Commission instituted an investigation of the complaint and issued a notice of investigation which was published in the *Federal Register* on March 8, 1989 (54 FR 9904).

On January 8, 1990, the presiding ALJ issued an ID finding no violation of section 337 in this investigation by reason of his finding that there was no infringement of the claims at issue of the '926 patent or the '582 patent, which patents he found to be valid.

The Commission investigative attorney (IA) filed a petition for review of the ID. Complainant and respondent Center Manufacturing Co. filed responses to the IA's petition. The Commission did not receive any comments from government agencies.

Having examined the record in this investigation, including the ID, the Commission has determined to review certain issues. Specifically, the Commission will review the issues of: (1) Literal infringement of elements (a) and (b) of claim 1 of the '926 patent, and (2) infringement of element (b) of claim 1 of the '926 patent under the doctrine of equivalents. The Commission is particularly interested in the following issues:

1. Whether the jamb region of the imported FF 330 security chest is substantially filled with resin as required by element (a) of claim 1 of the '926 patent.

2. Whether the metal plates in the jamb region of the imported FF 330 security chest prevents the resin overlying the insulation in the jamb region from being arranged to substantially prevent conduction of heat from an ambient fire through the jamb region to the interior of the chest, as required by element (b) of claim 1 of the '926 patent.

3. Whether the ALJ was correct in determining that Brush's 5-, 10-, and 15-minute fire tests on the imported FF 330 security chests did not cause those chests to be exposed to an ambient fire.

4. Whether the arrangement of the resin overlying the insulation in the jamb region of the imported FF 330 security chest is functionally equivalent to element (b) of claim 1 of the '926 patent.

In connection with final disposition of this investigation, the Commission may issue (1) An order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) a cease and desist order that could result in a respondent being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered.

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist order would have on (1) The public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed.

Written Submissions: The parties to the investigation, interested government agencies, and any other interested persons are encouraged to file written submissions on the issues under review, and on remedy, the public interest, and

bonding. Complainant and the Commission investigative attorney are also requested to submit a proposed exclusion order and/or proposed cease and desist order(s) for the Commission's consideration. Written submissions, including any proposed orders, must be filed by March 5, 1990, and reply submissions must be filed by March 12, 1990.

Persons filing written submissions must file with the Office of the Secretary the original document and 14 true copies thereof on or before the deadlines stated above. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment is granted by the Commission will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

Additional Information: Copies of nonconfidential versions of the ID and all other nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20426; telephone: (202) 252-1000.

Issued: February 23, 1990.

By order of the Commission.

Kenneth R. Mason,
Secretary.

[FR Doc. 90-4576 Filed 2-27-90; 8:45 am]
BILLING CODE 7020-02-M

**INTERSTATE COMMERCE
COMMISSION**

[Finance Docket No. 31603]

**Exemption; Minnesota Commercial
Railway, Inc.—Trackage Rights
Exemption—Burlington Northern
Railroad Co.**

Burlington Northern Railroad Company (BN) has agreed to grant local and overhead trackage rights to Minnesota Commercial Railway, Inc. (MC) over approximately 40 miles of

track in Minnesota; between BN's Northtown yard (milepost 12.5) and Park Junction (milepost 7.9), approximately 4.6 miles; between East Minneapolis (milepost 0.0) and Hugo (milepost 16.1) and the NSP spur (milepost 6.52), approximately 22 miles; between the Northtown yard and Westminister (milepost 1.4), approximately 11.1 miles; and between engineering stations 624+13.2 and 674+29.5, in Stillwater, approximately 1 mile.

As part of the transaction, MC has become a party to a non-exclusive trackage rights agreement between Chicago and Northwestern Transportation Company (CNW) and BN covering approximately 21.5 miles of track between St. Paul (milepost 1.0) and Bayport (milepost 2.5),¹ and, by assignment, has become a party to switching agreements with CNW and Soo Line Railroad Company in the Stillwater-Bayport area.² The trackage rights became effective on February 12, 1990. MC expects to begin operations on or about March 5, 1990.

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Ralph J. Moore, Jr., Shea and Gardner, 1800 Massachusetts Avenue NW., Washington, DC 20036, and Betty Jo Christian, Steptoe and Johnson, 1330 Connecticut Avenue NW., Washington, DC 20036.

As a condition to the use of this exemption, any employees affected by the trackage rights will be protected pursuant to Norfolk and Western Ry. Co.—Trackage Rights—BN, 354 I.C.C. 605 (1978), as modified by Mendocino Coast Ry., Inc.—Lease and Operate, 360 I.C.C. 653 (1980).

Dated: February 22, 1990.

By the Commission, Jane F. Mackall,
Director, Office of Proceedings.

Noreta R. McGee,
Secretary.

[FR Doc. 90-4529 Filed 2-27-90; 8:45 am]

BILLING CODE 7035-01-M

¹ BN's acquisition of these trackage rights from CNW was exempted from Commission approval in Finance Docket No. 29783, *Burlington Northern Railroad Company—Exemption—Trackage Rights—St. Paul, MN to Bayport, MN* (not printed), served February 4, 1982. In that decision the exact mileage was listed as 19.3.

² The modifications to the switching agreements are not subject to Commission jurisdiction. See 49 U.S.C. 10907.

DEPARTMENT OF JUSTICE

Lodging of Settlement Agreement

In accordance with the policy of the Department of Justice, 28 CFR 50.7, and pursuant to section 122(d)(2) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(d)(2), notice is hereby given that a proposed Settlement Agreement in *In re FCX, Inc.*, was lodged with the United States Bankruptcy Court for the Eastern District of North Carolina on February 9, 1990. This action was brought pursuant to section 107 of CERCLA, 42 U.S.C. 9607.

Under the proposed Settlement Agreement, the estate of FCX, Inc., agrees to place \$2 million in trust for use by the United States and the State of North Carolina. The funds are to be used to reimburse the United States and the State for environmental response actions taken and to be undertaken at FCX's former pesticide distribution centers in Statesville and Washington, North Carolina.

The Department of Justice will receive comments relating to the proposed Settlement Agreement for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, DC 20530. All comments should refer to *In re FCX, Inc.*, D.J. Ref. 90-11-3-350.

The proposed Settlement Agreement may be examined at the office of the United States Attorney, 874 Federal Building, 310 New Bern Avenue, Raleigh, North Carolina 27611 and at the Region IV office of the U.S. Environmental Protection Agency 345 Courtland Street NE., Atlanta, Georgia 30365. A copy of the proposed Settlement Agreement may also be examined at the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, room 1647(D), Ninth Street and Pennsylvania Avenue NW., Washington, DC 20530. A copy of the proposed Settlement Agreement may be obtained by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. Any request for a copy of the proposed Settlement Agreement should be accompanied by a check in the amount of \$3.90 for copying

costs (\$0.10 per page) payable to "United States Treasurer."

Richard B. Stewart,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 90-4500 Filed 2-27-90; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division

National Cooperative Research Notifications; National Center for Manufacturing Sciences, Inc.

Notice is hereby given that, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the National Center For Manufacturing Sciences, Inc. ("NCMS"), on January 29, 1990, filed a written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership and describing the status of its research projects. The notification was filed for the purpose of maintaining the protections of the Act limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

The following companies recently were accepted as members of NCMS:

Berkeley Process Control, Inc.
C.N. Burman Company
Chromalloy Compressor Technologies Corporation
RES Corporation
C. Thorrez Industries, Inc.

The following companies withdrew as members of NCMS:

Advanced Control, Inc.
The M.D. Larkin Company

Also, the name of a member, Kingsbury Machine Tool Corporation, has been changed to Kingsbury Corporation, into which Kingsbury Machine Tool merged.

Currently, NCMS has awarded state-of-the-art research contracts in the manufacturing fields of production equipment design, analysis, testing, and control; manufacturing data and factory control; manufacturing processes and materials; and manufacturing operations, information, and technology transfer.

On February 20, 1987, NCMS filed its original notification pursuant to section 6(a) of the Act, notice of which the Department of Justice published in the *Federal Register* pursuant to Section 6(b) of the Act on March 17, 1987 (52 FR 8375). NCMS filed additional notifications on April 15, 1988, and May 5, 1988, notice of which the Department published in the *Federal Register* on

June 2, 1988 (53 FR 20194). NCMS also filed additional notifications on July 11, 1988, September 13, 1988, December 8, 1988, March 9, 1989, August 10, 1989, and November 3, 1989, notices of which the Department published on August 19, 1988 (53 FR 31771), November 4, 1988 (53 FR 44680), January 18, 1989 (54 FR 2006), April 13, 1989 (54 FR 14878), September 18, 1989 (54 FR 38461), and November 29, 1989 (54 FR 49122), respectively.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 90-4497 Filed 2-27-90; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notifications; OSI/Network Management Forum

Notice is hereby given that, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the OSI/Network Management Forum, (the "Forum") on January 29, 1990 filed an additional written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing additions to its membership. The additional written notification was filed for the purpose of extending the protections of section 4 of the Act, limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

On October 21, 1988, the Forum filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to section 6(b) of the Act on December 8, 1988, 53 FR 49615. On December 23, 1988, March 23, 1989, July 3, 1989, September 28, 1989, and November 22, 1989 the Forum filed additional written notifications pursuant to section 6(a) of the Act. The Department of Justice published notices in the Federal Register pursuant to section 6(b) on January 26, 1989, 54 FR 3870, April 25, 1989, 54 FR 17834, August 4, 1989, 54 FR 32141, October 26, 1989, 54 FR 43631, and January 10, 1990, 55 FR 926.

The identified of the additional parties to the venture are given below:

Voting Members

Belcore, Room 1C401A, 331 Newman Springs Road, Red Bank, N.J. 07701-7020.
Bull, 68 Route de Versailles, Louveciennes 78430, France.
NCR Corporation, 2700 Snelling Avenue North, St. Paul, MN 55113.

Associate Members

Bell Atlantic, 1310 N. Court House Road, 3rd Floor, Arlington, Virginia 22201.

G T E Telecom, Incorporated, 22027 17th Avenue SE., Bothell, WA 98021.
Telecom Australia, 14/151 Roma Street, East Tower, Brisbane 4000, Australia.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 90-4498 Filed 2-27-90; 8:45 am]

BILLING CODE 4410-01-M

National Cooperative Research Notifications; Power Applications Research Center

Notice is hereby given that, on January 9, 1990, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), the Power Applications Research Center ("PARC") filed a written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing: (1) The identities of the parties to the project; and (2) the nature and objective of the project. The notification was filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the PARC's parties and its general areas of planned activities are given below.

The PARC's parties are the University of Tulsa, 600 South College Avenue, Tulsa, Oklahoma 74103-3189 ("University") and the Exxon Production Research Company, 3120 Buffalo Speedway, Houston, Texas, whose mailing address is P.O. Box 2189, Houston, Texas 77252-2189 ("Sponsor").

The purpose of the PARC is to study various cable configurations and materials and provide facilities and resources to support efforts in areas that are of mutual interest to the University and Sponsor. The primary areas of investigation are those applications using high energy electrical systems. Instrumentation and technology applicable to these projects will also be developed. Supporting university courses and sponsor seminars will be developed and provided as requested by the Sponsor(s).

Membership in this group project remains open, and the parties intend to file additional written notification disclosing all changes in membership of this project.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 90-4499 Filed 2-27-90; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Office of the Secretary

LIFE (Labor Investigating for Tomorrow) America Awards

AGENCY: Office of the Secretary, United States Department of Labor.

ACTION: Submission of reporting requirements for expedited review and clearance under the Paperwork Reduction Act.

SUMMARY: The Office of the Secretary, United States Department of Labor (DOL), in carrying out responsibilities under the Paperwork Reduction Act (44 U.S.C. chapter 35; 5 CFR part 1320 (53 FR 16618 to 16632, May 10, 1988)), is submitting the reporting requirements necessary for implementation of the Secretary of Labor's LIFE America Award Program, to the Office of Management and Budget for that Agency's approval.

DATES: The Secretary of Labor has requested an expedited review of this submission under the Paperwork Reduction Act, to be completed on or before March 28, 1990.

FOR FURTHER INFORMATION CONTACT: Comments and questions regarding the reporting requirements for this award program should be directed to Mr. Paul E. Larson, Departmental Clearance Officer, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue NW., room N-1301, Washington, DC 20210 (telephone (202) 523-6331). Comments should also be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, room 3208, Washington, DC 20503.

Any member of the public who wants to comment on the information collection clearance package which has been submitted to OMB should advise Mr. Larson of this intent at the earliest possible date.

Average Burden Hours per Response: Ten (10) hours.

Frequency of Response: Annual.

Number of Respondents: Two hundred (200).

Annual Burden Hours: Two thousand (2,000).

Annual Responses: Two hundred (200).

Affected Public: Private sector employers, community organizations, schools, and labor and educational organizations.

Respondents Obligation to Reply: Voluntary.

Supplementary Information: The Secretary of Labor has announced a

multifaceted agenda to aid in the enhancement of the quality of the American workforce. The American workplace has undergone revolutionary changes in recent years. As a result America faces a workforce crisis. America's workforce is in a state of unreadiness * * * unready for the new jobs of the 1990's. The Secretary's agenda recognizes the need to improve the education and work-readiness of new entrants into the workforce and also

to improve the skills of those already employed. It also recognizes that efforts by the Secretary of Labor or legislation passed by Congress can not, on its own, improve the state of our workforce. Rather, our success depends upon concerned citizens. Much will depend upon mobilizing Americans to discover innovative solutions to the workforce crisis. To provide encouragement and incentive, the Secretary will honor those making a difference through an award

program known as the LIFT (Labor Investing for Tomorrow) America Award Program. In order to implement LIFT the Secretary has determined that the nomination process requires the collection of certain information from nominees.

Signed at Washington, DC, this 22d day of February 1990.

Paul E. Larson,
Department Clearance Officer.
BILLING CODE 4510-23-M

LIFT (Labor Investing For Tomorrow) AMERICA AWARDS

NOMINATION FORM

1. Nominee

(Name of Organization)

(Address)

2. Highest Ranking Official

(Name)

(Title)

(Address)

(Telephone No.)

3. Description of Organization

4. Award Category☐

Outstanding Business-School Partnership

☐

Innovative School-to-Work Program

☐

Outstanding Employee Training Program

☐

Superior Employee Worklife Program

Form ASP-1

(This form may be duplicated)

5. Program Description

- a. Innovative - Describe the extent to which the program represents new initiatives and methods for approaching the problem identified

b. Significance - Explain the extent to which the program is aimed at solving a significant national, regional, or local problem.

c. Level of resources - What human and financial resources have been devoted to the program, compared to the apparent scope of the problem, and does this represent a sustained and substantial effort?

d. Success - Has the program succeeded in making a substantial improvement in correcting the problem, is there a valid measure of success, and how does the level of success compare with the level of resources utilized?

e. Is program replicable - Can this approach be used successfully by others?

7

6 Official contact person

(Name)

(Title)

(Address)

(Telephone No.)

(Telefax No.)7. Statement

It is understood that this nomination will be reviewed by representatives of the U.S. Department of Labor. Further, that the organization identified above in item number one may be asked to provide additional information in support of this nomination, and that such information may be disseminated to the public.

8. Signature, Authorization Official

X

(Date)

(Name)

(Title)

(Address)

(Telephone No.)

Supporting Statement**A. Justification**

1. The Secretary of Labor has announced a multifaceted agenda to aid in the enhancement of the quality of the American workforce. The American workplace has undergone revolutionary changes in recent years. As a result America faces a workforce crisis. America's workforce is in a state of unreadiness * * * unready for the new jobs of the 1990's. The Secretary's agenda recognizes the need to improve the education and work-readiness of new entrants into the workforce and also to improve the skills of those already employed. It also recognizes that efforts by the Secretary of Labor or legislation passed by Congress cannot, on its own, improve the state of our workforce. Rather, our success depends upon the action of concerned citizens. Much will depend upon mobilizing Americans to discover innovative solutions to the workforce crisis. To provide encouragement and incentive, the Secretary will honor those making a difference through an award program known as the LIFT (Labor Investing for Tomorrow) America Award Program. In order to implement LIFT the Secretary has determined that the nomination process requires the collection of certain information from nominees.

2. The information collected will be used by the Secretary in determining which of the programs nominated should actually be recognized through the bestowing of an award.

3. There are no sources of improved technology which can be used to reduce the reporting burden.

4. There is no duplication of existing information collections.

5. No similar information is available from any other source.

6. Small businesses and other small entities may be eligible for awards under the program. The nomination form has been designed in a very flexible format to obtain the minimum amount of information needed to make a decision on the nomination.

7. Awards are to be made annually. Only those projects or programs that wish to seek recognition by the Secretary will submit information about their programs. Nominees are expected to submit information only once, but the Secretary will accept nominations annually in order to identify exemplary programs that are in current operation.

8. This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

9. Consultations on this information collection were conducted with

representatives of the Department of Commerce, the Department of Education, and the Malcolm Baldrige National Quality Award Consortium, Inc. Consultations also occurred with a representative of the National Alliance of Business, and with experts on human resource development.

10. There are no assurances of confidentiality. Nominees are advised that the Department of Labor may disseminate information about successful programs to the public.

11. There are no questions of a sensitive nature.

12. Annualized cost to the Federal Government for implementation of this award program is \$30,000, as follows:

Staff time for program design	\$5,000
Form development and distribution ..	\$5,000
Promotion of the awards program	\$10,000
Evaluation of nominations	\$10,000
Awards banquet (through private donation)	
Total	\$30,000

13. Consideration for an award will be initiated by a "self-nomination" process. Programs seeking consideration for an award will complete a nomination form and submit it to the Office of the Assistant Secretary for Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. It is anticipated that staff in each of the Department of Labor regions will publicize the existence of the awards, identify programs in their areas for consideration by the Secretary, and encourage program officials—whether school officials, business or union officials, or community leaders—to complete the nomination process. An individual nomination is estimated to require ten (10) hours to complete. A maximum of two hundred (200) nominations are expected in any year. This annual burden of 2,000 hours is included in the agency's Information Collection Budget for fiscal year 1990.

14. This increase in burden hours is the result of implementation of a new program initiative by the Secretary.

15. The information collected will not be published for statistical use. It is expected that the Department of Labor will disseminate non-statistical information about programs that are given awards.

[FR Doc. 90-4522 Filed 2-27-90; 8:45 am]
BILLING CODE 4510-23-M

Occupational Safety and Health Administration**Connecticut State Standards; Approval****1. Background**

Part 1953 of Title 29, Code of Federal Regulation, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Regional Administrator for Occupational Safety and Health (hereinafter called Regional Administrator) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary), (29 CFR 1953.4), will review and approve standards promulgated pursuant to a State Plan, which has been approved in accordance with section 18(c) of the Act and 29 CFR part 1902. On November 3, 1978, notice was published in the *Federal Register* (43 FR 51390) of the approval of the Connecticut Public Sector State Plan and the adoption of subpart E to part 1956 containing the decision.

The Connecticut Public Sector Only State Plan provides for the adoption of Federal standards as State standards after:

- Publishing an intent to amend the State Plan by adopting the standard(s) in the Connecticut Law Journal.
- Approval by the Commissioner of Labor and the Attorney General of the State of Connecticut.
- Approval by the Legislative Regulation Review Committee, State of Connecticut.
- Filing in the Office of the Secretary of State, State of Connecticut.
- Publishing a notice that the State Plan is amended by adopting the standard(s) in the Connecticut Law Journal.

The Connecticut Public Sector State Plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act. By letters dated September 16, 1986 and December 29, 1986, from P. Joseph Peraro, Commissioner, Connecticut Department of Labor, to OSHA's Acting Regional Administrator; and July 27, 1988, and April 14, 1989, from Commissioner Betty L. Tianti, Connecticut Department of Labor, to John B. Miles, Jr., Regional Administrator; and incorporated as part of the plan, the State submitted updated State standards identical to 29 CFR parts 1910; 1917; 1926; and 1928 and subsequent amendments thereto, as described below:

- (1) Amendment to 29 CFR 1910.211, Presence Sensing Device Initiation of

Mechanical Power Presses; Final Rule, Definitions (53 FR 8353, dated 3/14/88).

(2) Amendment to 29 CFR 1910.217, Presence Sensing Device Initiation of Mechanical Power Presses; Final Rule, Mechanical Power Presses (53 FR 8353, dated 3/14/88).

(3) Addition to 29 CFR 1910.1047, Occupational Exposure to Ethylene Oxide; Final Standard (53 FR 11437, dated 4/6/88).

(4) Addition to 29 CFR 1910.7, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Definition and Requirements for a Nationally Recognized Testing Laboratory (53 FR 12120, dated 4/12/88).

(5) Correction to 29 CFR 1910.7, Safety Testing or Certification of Certain Workplace Equipment and Materials; Deletion of Specific Testing Laboratory Names; Definition of Nationally Recognized Testing Laboratory; Determination of Eligible Testing Organizations (53 FR 16838, dated 5/11/88).

(6) Revision to 29 CFR 1910.28, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart D, Safety Requirements for Scaffolding (53 FR 12121, dated 4/12/88).

(7) Revision to 29 CFR 1910.35, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart E, Definitions (53 FR 12121, dated 4/12/88).

(8) Revision to 29 CFR 1910.103, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart H, Hydrogen (53 FR 12121, dated 4/12/88).

(9) Revision to 29 CFR 1910.106, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Flammable and Combustible Liquids (53 FR 12121, dated 4/12/88).

(10) Revision to 29 CFR 1910.107, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Spray Finishing Using Flammable and Combustible Materials (53 FR 12121, dated 4/12/88).

(11) Revision to 29 CFR 1910.108, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Dip Tanks Containing Flammable or Combustible Liquids (53 FR 12122, dated 4/12/88).

(12) Revision to 29 CFR 1910.109, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Explosives and Blasting Agents (53 FR 12122, dated 4/12/88).

(13) Revision to 29 CFR 1910.110, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Storage and Handling of Liquefied Petroleum Gases (53 FR 12122, dated 4/12/88).

(14) Addition to 29 CFR 1910.111, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Storage and Handling of Anhydrous Ammonia (53 FR 12122, dated 4/12/88).

(15) Revision to 29 CFR 1910.155, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart L, Scope, Application and Definitions Applicable to this subpart (53 FR 12122, dated 4/12/88).

(16) Revision to 29 CFR 1910.178, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart N, Powered Industrial Trucks (53 FR 12122, dated 4/12/88).

(17) Revision to 29 CFR 1910.180, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Crawler Locomotive and Truck Cranes (53 FR 12122, dated 4/12/88).

(18) Revision to 29 CFR 1910.181, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Derricks (53 FR 12122, dated 4/12/88).

(19) Revision to 29 CFR 1910.251, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart Q, Definitions (53 FR 12122, dated 4/12/88).

(20) Revision to 29 CFR 1910.265, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart R, Sawmills (53 FR 12123, dated 4/12/88).

(21) Revision to 29 CFR 1910.266, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, Pulpwood Logging (53 FR 12123, dated 4/12/88).

(22) Revision to 29 CFR 1910.399, Safety Testing or Certification of Certain Workplace Equipment and Materials; Final Rule, subpart S, Definitions Applicable to this subpart (53 FR 12123, dated 4/12/88).

(23) Amendment to 29 CFR 1910.272, Grain Handling Facilities; Final Rule (52 FR 49625, dated 12/31/87).

(24) Amendment to 29 CFR 1917.1 Grain Handling Facilities, Final Rule, Marine Terminals, Scope and Applicability (52 FR 49624, dated 12/31/87).

(25) Deletion to 29 CFR 1917.72, Grain Handling Facilities, Final Rule, Marine Terminals, Grain Elevator Terminals (52 FR 49624, dated 12/31/87).

(26) Addition to 29 CFR 1910.19, Occupational Exposure to Formaldehyde; Final Rule, subpart B, Special Provisions for Air Contaminants (52 FR 46291, 12/4/87).

(27) Amendment to 29 CFR 1910.1000, Occupational Exposure to; Final Rule, subpart Z, (52 FR 46291, dated 12/4/87).

(28) Addition to 29 CFR 1910.1048, Occupational Exposure to Formaldehyde; Final Rule, subpart Z, Formaldehyde (52 FR 46291, dated 12/4/87).

(29) Addition to 29 CFR 1926.55, Occupational Exposure to Formaldehyde; Final Rule, subpart D, Gases, Vapors, Fumes, Dusts and Mists (52 FR 46312, dated 12/4/87).

(30) Amendment to 29 CFR 1910.177, Servicing Multi-Piece and Single Piece Rim Wheels, Final Rule (53 FR 34737, dated 9/6/88).

(31) Amendment to 29 CFR 1910.1001, Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Final Rules (53 FR 35625, dated 9/14/88).

(32) Revision to 29 CFR 1910.20, Access to Employee Exposure and Medical Records; Final Rule (53 FR 38163, dated 9/29/88).

(33) Revision to 29 CFR 1926.700, Concrete and Masonry Construction Safety Standards; Final Rule, subpart Q, Scope, Application and Definitions Applicable to this subpart (53 FR 22643, dated 6/16/88).

(34) Revision to 29 CFR 1926.701, Concrete and Masonry Construction Safety Standards; Final Rule, General Requirements (53 FR 22644, dated 6/16/88).

(35) Revision to 29 CFR 1916.702, Concrete and Masonry Construction Safety Standards; Final Rule, Requirements for Equipment and Tools (53 FR 22644, dated 6/16/88).

(36) Revision to 29 CFR 1926.703, Concrete and Masonry Construction Safety Standards; Final Rule, Requirements for Cast-in-place Concrete (53 FR 22644, dated 6/16/88).

(37) Revision to 29 CFR 1926.704, Concrete and Masonry Construction Safety Standards; Final Rule, Requirements for Precast Concrete (53 FR 22645, dated 6/16/88).

(38) Revision to 29 CFR 1926.705, Concrete and Masonry Construction Safety Standards; Final Rule, Requirements for Lift-slab Operations (53 FR 22645, dated 6/16/88).

(39) Revision to 29 CFR 1926.706, Concrete and Masonry Construction Safety Standards; Final Rule, Requirements for Masonry Construction (53 FR 22646, dated 6/16/88).

(40) Addition to 29 CFR 1926.550, Crane or Derrick Suspended Personnel Platforms; Final Rule, Cranes and Derricks (53 FR 29139, dated 8/2/88).

(41) Revision to 29 CFR 1926.58, Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Final Rules, Asbestos, Tremolite, Anthophyllite, and Actinolite (53 FR 35627, dated 9/14/88).

2. Decision

The above State standards have been reviewed and compared with the relevant Federal standards. It has been determined that the State standards are identical to the Federal standards, and are accordingly approved.

3. Location of supplement for inspection and copying

A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, 133 Portland Street, Boston, Massachusetts 02114; Office of the Commissioner, State of Connecticut, Department of Labor, 200 Polly Brook Boulevard, Wethersfield, Connecticut 06109; and the Office of State Programs, 200 Constitution Avenue NW., Room N3700, Washington, DC 20210.

4. Public participation

Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplements to the Connecticut Public Sector Plan as proposed changes and making the Regional Administrator's approval effective upon publication for the following reason:

1. The Standards were adopted in accordance with the procedural requirements of the State Law which included public comment, and further public participation would be repetitious.

This decision is effective February 28, 1990.

Authority: Section 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667).

Signed at Boston, Massachusetts, this 23rd day of October, 1989.

John B. Miles, Jr.,

Regional Administrator.

[FR Doc. 90-4523 Filed 2-27-90; 8:45 am]

BILLING CODE 4510-26-M

Pension and Welfare Benefits Administration

Proposed Exemption for Certain Transactions Involving Equitable Life Assurance Society of United States (Equitable) Located in New York, NY

[App. Nos. D-5381 and D-6499]

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Notice of proposed exemption.

SUMMARY: This document contains a notice of pendency before the Department of Labor (the Department) of a proposed exemption from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and the Internal Revenue Code of 1986 (the Code). The proposed exemption would permit the provision of certain real estate property management and, in some instances, leasing services by Equitable Real Estate Investment Management, Inc. (EREIM), an indirect wholly owned subsidiary of Equitable, affiliates of EREIM and Tishman Speyer Properties (TSP), a partnership in which Equitable has a 50 percent ownership interest, to various real estate separate accounts (the Accounts) in which employee benefit plans participate. The Accounts are managed by Equitable, EREIM or subsidiaries thereof. The proposed exemption would also permit the provision by the law department of Equitable (the Law Department) of certain legal services to the Accounts required in connection with individual properties held by the Accounts.

EFFECTIVE DATE: This proposed exemption will be effective on the date of publication in the Federal Register of the notice granting this exemption. The exemption will expire five years from its effective date.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address set forth below and within the time period described below. All

comments will be made a part of the record. Comments and requests for a hearing should state the reasons for the writer's interest in the pending exemption. Comments received will be available for public inspection with the application for exemption at the address set forth below.

DATES: Written comments and requests for a public hearing must be received by the Department of Labor on or before April 30, 1990.

ADDRESS: All written comments and requests for a hearing (at least three copies) should be sent to the Office of Exemption Determinations, Pension and Welfare Benefits Administration, Room N-5671, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210, Attention: Application Nos. D-5381 and D-6499. The application for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue NW., Washington, DC 20210.

Temporary Nature of Exemption

The Department has determined that this exemption, if granted, will be temporary in nature and, unless extended pursuant to timely application, will expire five years from its effective date.

SUPPLEMENTARY INFORMATION: Notice is hereby given of the pendency before the Department of an application for exemption from the restrictions of section 406(a), 406(b)(1) and 406(b)(2) of the Act and from the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code. The proposed exemption was requested in an application filed by Equitable, pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Therefore, this notice of pendency is issued solely by the Department.

Summary of Facts and Representations

1. Description of the Parties

A. Equitable and EREIM

Equitable is a mutual life insurance company organized under the laws of the State of New York having total

assets under management of \$58 billion as of December 31, 1988. Among the variety of products and services Equitable offers is the provision of asset management and other services to thousands of employee benefit plans. Among the types of investments available to plans through Equitable are investments in the Accounts. The Accounts hold investments in income-producing real estate such as office buildings, hotels, shopping centers and industrial and commercial properties. Equitable also invests in similar income-producing real estate for its own general account. Account and general account investments in real estate-related investments were valued at \$16.2 billion as of December 31, 1988. As investment manager with respect to the Accounts, Equitable has investment discretion to acquire and dispose of properties on behalf of the Accounts and the responsibility to manage Account properties.

All of Equitable's real estate investment activities with respect to the Accounts had been conducted by Equitable's Realty Operations Area. The Realty Operations Area was a division of Equitable responsible for developing recommendations regarding the acquisition, management and disposition of properties for the Accounts to be considered by the Investment Committee of Equitable's Board of Directors. In mid-1984, Equitable created EREIM as a wholly owned subsidiary, and has assigned to EREIM and to other real estate subsidiaries, all of the responsibilities previously performed by the Realty Operations Area. EREIM is a national organization with 12 regional offices and 5 local offices which are directly involved in the management of properties within their respective geographic areas. However, Equitable continues to be the investment manager for each of the existing Accounts and to be responsible for all investment management decisions made for the Accounts. For the provision of such services, Equitable allocates all or a portion of the investment management fees it receives from the Accounts to EREIM. The fees payable by an Account to Equitable for investment management services provided to the Accounts have not changed by virtue of the creation of EREIM.

Equitable anticipates that in the future EREIM and other direct or indirect subsidiaries of Equitable may act as investment manager with respect to existing Accounts or may establish and act as investment manager for new Accounts.

B. The Accounts.

The Accounts established by Equitable currently include: (a) Separate Account No. 8 (SA-8), also known as the Prime Property Fund; (b) Separate Account No. 16-I (SA-16I), also known as the New Properties Fund; (c) Separate Account No. 16II (SA-16II), also known as the Asset Enhancement Fund; (d) Separate Account No. 16IV

(SA-16IV), also known as the Hawaii Properties Fund; and (e) two real estate single customer separate accounts and one real estate single customer investment management account, each of which is maintained for large pension plans. SA-8 is an open-end, pooled real estate separate account whose assets are primarily invested in shopping centers, hotels, office and industrial buildings and other retail properties.

SA-16I, SA-16II and SA-16IV are closed-end, pooled real estate separate accounts whose investments consist primarily of debt and equity interests in developmental joint ventures in office buildings. As of December 31, 1988, the number of contract holders, total number of investments and total net value of investments in SA-8, SA-16I, SA-16II and SA-16IV were as follows:

ACCOUNTS

Totals	SA-8	SA-16I	SA-16II	SA-16IV
Contract-holders	334	6	10	7
Investments	251	4	3	1
Net Assets (in millions)	\$3,612.7	\$43.2	\$110.8	\$290.9

The single customer real estate accounts were separately established by Equitable to invest the assets of the plans of IBM and Westinghouse. These accounts invest primarily in equity interests in office buildings, shopping centers, and industrial research and development properties with a combined value, as of December 31, 1988, of \$3.49 billion.

Equitable anticipates that it will establish for its plan clients additional real estate separate accounts, expand existing real estate separate accounts, add new single customer accounts and establish other pooled or single customer investment vehicles such as joint ventures or limited partnerships. (All of these existing and anticipated real estate investment vehicles for ERISA plans are, hereinafter, collectively referred to as the Accounts.) The Accounts may be established by Equitable or its wholly owned subsidiaries or other affiliates as defined in Section IV(3) of this proposed exemption. Some investment properties may be owned by more than one Account or by an Account and Equitable's general account.

Although some plans have authorized Equitable to perform certain discretionary asset management services, the decision of a plan to invest in an Account will be made by a plan fiduciary who is independent of Equitable. With respect to those arrangements involving discretionary asset management services, Equitable represents that the independent fiduciary of the investing plan has received full disclosure and has specifically authorized in writing the investment by Equitable of the Plans'

assets in a particular Account.¹ Also, plans maintained by Equitable for its employees have invested in SA-8 and SA-16I.² The percentage of the assets of SA-8 and SA-16I that are represented by the investment of Equitable's plans is approximately 1.8 percent and 5 percent, respectively.

C. TSP

TSP, when independent of Equitable, was a limited partnership specializing in the development, management and leasing of commercial projects, primarily office buildings, on a nationwide basis. Its principal business activity was providing real estate development services to major real estate investors. TSP has engaged in several development joint ventures with Equitable. TSP does not, however, have an ownership interest in any properties held in the Accounts. During 1988, revenues of TSP from projects in which

Equitable owned an interest represented 42 percent of TSP's gross revenues.

Tishman Speyer Development Corporation (TSDC), a corporation wholly owned by Messrs. Robert Tishman and Speyer, two of the principals of TSP (the Principals), currently has a contract for management of an office building in Connecticut which is allocated to SA-8 (the Excluded Contract). Until the granting of this exemption, TSDC will continue to provide services to the Connecticut SA-8 property.

On January 21, 1982, Equitable, through a wholly owned subsidiary, purchased a 50 percent limited partnership interest in TSP.³ Messrs. Tishman and Speyer then transferred their 50 percent general partnership interest in TSP to two separate wholly owned service corporations. Following the addition of other wholly owned service corporations to share the 50 percent general partnership interest in TSP, a reorganization of TSP occurred whereby five personal service corporations, acting as general partners of TSP, were replaced by Tishman Speyer Properties, Inc., a corporation wholly owned by the Principals of TSP.

¹ This exemption, if granted, would provide no relief (nor has the applicant requested relief) from the restrictions of section 406(b) of the Act for transactions involving the decision by Equitable, as a fiduciary for a plan, to invest plan assets in an Account.

In this regard, the Department notes that to the extent that Equitable or an affiliate is deemed to be a fiduciary by virtue of rendering investment advice as described in regulation 29 CFR 2510.3-21(c)(1)(ii)(B), the presence of an unrelated second fiduciary acting on the investment adviser's recommendations on behalf of the plan is not sufficient to insulate the investment adviser from fiduciary liability under section 406(b) of the Act [See Advisory Opinions 84-03A and 84-04A issued by the Department on January 4, 1984].

² With respect to the investment in an Account by those plans maintained for employees of Equitable, Equitable represents that Advisory Opinion 79-79A, issued on November 7, 1979, recognized that the exemption from the prohibited transaction restrictions of section 408 provided by section 408(b)(5) of the Act extended to the acquisition of interests in separate accounts by a life insurance company on behalf of its own plans.

³ In this regard, we note that to the extent that Equitable's interest in TSP and/or its participation in joint ventures or partnerships with the principals of TSP may have affected Equitable's best judgment as a fiduciary for SA-8 when acting in any transaction involving the Excluded Contract, such transaction may constitute a prohibited transaction under section 406(a)(1)(D), 406(b)(1) or 406(b)(2). In addition, the Department is not herein proposing to grant any exemptive relief with respect to such transaction, nor is the Department expressing any view with respect to the application of Part 4 of Title I of the Act, generally, to this transaction.

II. Property Management and Leasing Services

A. Justification and Types of Services

Equitable represents that real estate investments in recent years have become increasingly attractive to pension plan investors and that the quality of real estate-related services provided with respect to properties has become of central importance in maximizing returns available to such investors. Equitable further points out that large real estate investment managers typically manage properties themselves or through property management firms they have acquired. Through this technique, they are able to employ a unified strategy for leasing the properties and using other efficient management techniques more readily than if properties were managed by a large number of independent managers. In this regard, it has become apparent to Equitable that in many instances the best arrangements for the provision of property services to the Accounts and the highest quality of services can be provided through the use of in-house personnel or through firms in which Equitable has an interest. Such firms would possess special expertise in the type of properties held by the Accounts and knowledge of the Accounts and Account properties.

Services to be provided to the Accounts by EREIM and TSP will be the typical day to day property management and leasing responsibilities associated with the operation of income-producing properties. These responsibilities may include: (a) Using best efforts to lease the property to desirable tenants and negotiating the terms and renewals of such leases; (b) receiving and collecting rents; (c) arranging for all necessary repairs and replacement and installation of equipment; (d) handling tenant complaints; (e) preparing and submitting to the owner proposed operating and capital budgets; and (f) performing marketing and promotional supervisory services.

With respect to the number of SA-8 properties managed by EREIM,⁴ and in the past by Equitable through its employees, Equitable, as investment manager, determined that it was in the interests of the Account for such in-house property management services to be rendered. In these cases, however, because the prohibited transaction

restrictions of the Act have prohibited EREIM or TSP from providing such services unless their compensation was limited to a reimbursement of direct expenses, EREIM and TSP have only been compensated for their direct costs in providing such services.⁵ Equitable represents that it is no longer feasible to continue this practice.

B. Manner in Which Property Management and Leasing Services Arise

Equitable or EREIM, as investment manager for an Account, will first consider whether it is in the best interest of an Account for EREIM or TSP to manage, and in some cases, provide leasing services for a property before proposing to an independent fiduciary (the Independent Fiduciary) acting on behalf of the Accounts that such services should be rendered by EREIM or TSP. Such proposal will be based on whether Equitable or EREIM believes the property management personnel of EREIM or TSP can provide the best property management for a particular property. EREIM or Equitable will consider the type of property, its size and its location to determine whether EREIM, TSP or another property manager is best-suited to manage the assets. EREIM will generally be considered for the management of industrial properties and commercial office buildings in those locations where there are existing EREIM property management operations. Equitable represents this will allow the Account to benefit from a comprehensive knowledge of the local market and the operational expertise of a diversified staff in that location.

EREIM has determined that, if in a particular real estate market, Equitable or EREIM holds properties as investment manager for an Account and on behalf of Equitable's general account and there is a potential for leasing competition among those properties, EREIM will contract with an independent, qualified leasing agent to perform leasing activities for the Account properties. Thus, it is expected that EREIM will provide leasing services with respect to some Account property investments, but not with respect to others.

The provision of property management and, in certain instances, leasing services by TSP to an Account may occur in two additional ways. First, Equitable may acquire a property for an Account with respect to which a management contract with TSP is

already in place. Second, such services may arise by reason of the transfer to TSP of the Excluded Contract that is currently between SA-8 and TSDC. It is intended that such transfer will take place upon the granting of this exemption.⁶

III. Role of the Independent Fiduciary for Property Services

Equitable will appoint the Independent Fiduciary, subject to confirmation by a majority of the units of beneficial interest that are participating in the Accounts (or by the client in the case of a single customer account) to act on behalf of the Accounts with respect to the property management and leasing services involvement EREIM or TSP. Such Independent Fiduciary will be an individual, group of individuals or business entity which has substantial experience and expertise in the commercial real estate investment field, including the expertise necessary to make the decisions required under this exemption. The Independent Fiduciary must not have any ownership interest in Equitable or in the non-Equitable partners in TSP, nor may Equitable or its partners in TSP have any ownership interest in the Independent Fiduciary. Any business dealings between the Independent Fiduciary and Equitable, including but not limited to services rendered to the Accounts as Independent Fiduciary under all prohibited transactions exemptions granted by the Department, may not in the aggregate result in receipts to the Independent Fiduciary in excess of 5 percent of its gross receipts in any one of its fiscal year periods. If, in any year, the 5 percent limit is exceeded as a result of the receipt by the Independent Fiduciary of fees for Independent Fiduciary services, Equitable will be prohibited from engaging the Independent Fiduciary for new assignments until the Independent Fiduciary's receipts are again below the 5 percent maximum.

The compensation and expenses of the Independent Fiduciary will be paid on a proportional basis by the Accounts which it serves.

Retention of the Independent Fiduciary will be subject to annual confirmation by a majority of the units of beneficial interests that are participating in the Accounts. The

⁴ EREIM's property management personnel currently manage more than 150 different properties of various types held for Equitable's general account and for SA-8. In the aggregate, the properties encompass approximately 23.5 million square feet of space and are valued at approximately \$1.52 billion.

⁵ See sections 408(b)(2) of the Act and 29 CFR 2550.408b-2(e)(3).

⁶ The relief provided by this exemption does not extend to the rendering of property development services which may be included as a service under the Excluded Contract or to the acquisition by an Account of a property from a party in interest with respect to an investment plan.

Independent Fiduciary may also be removed with or without cause by the vote of the holders of a majority of the units of beneficial interests in an Account voting in favor of such removal. In the event of a vote to remove the Independent Fiduciary, existing covered transactions will not be affected, but Equitable will cease submitting to the Independent Fiduciary any new proposals to engage in covered transactions. Equitable will, however, promptly attempt to designate a replacement Independent Fiduciary whose appointment will be subject to the same confirmation by participating plans as was Equitable's selection of the initial Independent Fiduciary.

A principal responsibility of the Independent Fiduciary will be its involvement in the consideration of EREIM or TSP to provide the above-described property services. The selection process will proceed as follows:

(a) Equitable will only propose that EREIM or TSP provide services in connection with a particular property where it believes it is in the best interests of the Account to do so. If Equitable does not propose that EREIM or TSP be selected to provide services to an Account property, it will, as usual, in its investment management function, make the selection of an unrelated service provider.

(b) If Equitable proposes that EREIM or TSP provide property services for an Account property, the Independent Fiduciary must determine whether EREIM or TSP is qualified to undertake the proposed arrangement based on a thorough review of their backgrounds and experience as well as the backgrounds and experience of their personnel. In making these determinations, the Independent Fiduciary will consider, among others, the following factors:

(1) *Rate of compensation and terms of the service arrangement.* The Independent Fiduciary will determine whether the proposed compensation and the terms of the arrangement are reasonable based on a comparison with arrangements available from similarly-qualified firms for similar services in the same or similar locales. If no similar firms exist for purposes of comparison, the Independent Fiduciary must determine that the agreement is reasonable within the meaning of section 408(b)(2) of the Act. If EREIM or TSP is replacing another service provider, the Independent Fiduciary will make similar determinations as those discussed above and will consider whether the change will result in any increase in costs to the Accounts.

(2) *Qualifications of affiliates and non-affiliates on a comparative basis.* The Independent Fiduciary is not required to regard EREIM or TSP as its first choice for providing services for any particular property. Rather, it must determine whether EREIM or TSP is the best-qualified candidate to undertake the particular service provision arrangement in question. Where qualifications are equal among potential service providers, the Independent Fiduciary may choose EREIM or TSP if their proposed fee arrangement is most advantageous to the Account. If qualifications and proposed fees are essentially equal, the Independent Fiduciary will select EREIM or TSP only where it makes a determination that the affiliated service provider is the best-qualified, taking into account such factors as the affiliate's experience and familiarity with the Accounts.

(c) In making its determinations, the Independent Fiduciary's decisions will be based solely upon its consideration of the interests of the Account. In this regard, the Independent Fiduciary will independently compile, or retain others to compile, information relevant to its determination including information relating to the qualifications and the terms of engagement of the Equitable affiliates, as well as information on related service providers. The Independent Fiduciary can also consider information provided by Equitable. Such information will include: (1) A description of the policy of the Account for property services and the plan clients investing therein; (2) a description of the real estate services which are required; (3) the qualifications of EREIM or TSP to do the job; (4) a statement, supported by appropriate factual representations, of the reasons for Equitable's belief that EREIM or TSP is qualified to provide the services; (5) a copy of the proposed arrangement for services and the terms on which EREIM or TSP would provide the service; (6) the reasons why Equitable believes the retention of EREIM or TSP would be in the interests of the Account; (7) information demonstrating why the fees and other terms of the arrangement are reasonable and comparable to fees customarily charged by similar firms for similar services in comparable locales; (8) the identities of non-affiliated service providers and the terms under which these service providers might perform the services; and (9) where the property manager will also provide leasing services, Equitable will disclose to the Independent Fiduciary whether any affiliated property manager under consideration by the Independent Fiduciary is a property manager with

respect to any properties that are in competition for tenants with the property for which EREIM or TSP is under consideration.

(d) If the Independent Fiduciary selects EREIM or TSP to provide services to an Account property, it will negotiate the contract for the terms of the services to be provided directly with EREIM or TSP.

(e) If the Independent Fiduciary determines not to select EREIM or TSP, the Independent Fiduciary will so advise Equitable and Equitable will select an unrelated service provider and negotiate the terms of the arrangement with the unrelated service provider.

If EREIM or TSP is replacing another service provider or if a service arrangement with EREIM or TSP is significantly modified, advance approval of the Independent Fiduciary will also be required. Further, advance approval of the Independent Fiduciary will be required with respect to the transfer of the Excluded Contract to TSP and with respect to any other service provision contract with TSP in the case of the acquisition for an Account of a property which is subject to such service provision contract. Finally, in each instance in which a decision by EREIM or TSP may affect its rate of compensation, such decision will be subject to the review and approval of the Independent Fiduciary.

Equitable will have the authority to retain EREIM or TSP in certain situations where advance approval by the Independent Fiduciary otherwise would be necessary but because of an emergency would prove impracticable (e.g., a property manager may suddenly go out of business). In these cases, Equitable will have the authority to retain EREIM or TSP for a period not to exceed 90 days. However, the Independent Fiduciary will have to approve any fees paid to EREIM or TSP under these circumstances prior to their actual payment.

The Independent Fiduciary also has the obligation to review, at least annually (or more frequently if it deems appropriate), the performance of EREIM or TSP under each contract with the Accounts. In connection with its periodic review, the Independent Fiduciary will consider all information furnished by Equitable in its annual reports, information furnished in connection with Equitable's selection of EREIM or TSP and any other information the Independent Fiduciary believes necessary. If the Independent Fiduciary determines that the services of EREIM or TSP are no longer necessary or that either has failed to comply with

its obligations under a contract, it will instruct Equitable to terminate the contract or to modify the contract or exercise other rights available under the contract. Equitable will carry out any such instruction from the Independent Fiduciary to the extent it is legal and permitted by the terms of the service provision arrangement. In addition, Equitable represents that the terms of a service contract will not be interpreted as limiting the ability of the Independent Fiduciary to require equitable to terminate EREIM or TSP when either entity fails to comply with its obligations under the contract.⁷

The Independent Fiduciary will maintain written records with respect to its determinations regarding EREIM or TSP. The written records will reflect, among other things, the information considered by it including the identity of non-affiliated property managers, the source of the information, the steps followed by the Independent Fiduciary in reaching a decision and the reasons for its decision. The Independent Fiduciary will also be required to document the reasons for any actions taken in connection with its periodic review of the performance of EREIM or TSP, as well as its decisions regarding the approval or disapproval of fees paid to EREIM or TSP for services rendered pursuant to emergency procedures. These written records will be delivered periodically to Equitable or EREIM and kept in accordance with the provisions of section III of this exemption.

Equitable has selected Jackson-Cross Company (Jackson-Cross) to serve as the Independent Fiduciary for property management and leasing services with respect to the Account-held properties. Jackson-Cross is a Pennsylvania corporation engaged, directly and through its affiliates, in the business of commercial real estate consulting, brokerage, management, appraisal and related activities. It has been involved in the commercial real estate business since 1876. The firm currently manages approximately 10 million square feet of diverse industrial and commercial properties and office building space.

Neither Equitable nor its subsidiaries or affiliates have any interest in Jackson-Cross. Similarly, neither Jackson-Cross nor any of its principals

have any interest in Equitable or in any of its subsidiaries or affiliates. Although Jackson-Cross has from time to time had business dealings with Equitable, compensation paid by Equitable or an account in connection with such transactions has not exceeded 5 percent of Jackson-Cross' gross receipts in any fiscal year of Jackson-Cross.

IV. Fees for Property services

EREIM and TSP have agreed on certain limitations regarding the fees they will receive for services rendered pursuant to this exemption. Specifically, fees paid to EREIM or TSP for property management services provided in connection with a property held for an Account shall not exceed for any one year period: (a) In the case of property management services which include leasing services, 7 percent of the overall gross receipts of the property; and (b) in the case of property management services which do not include leasing services, 4 percent of the gross receipts of the property.

When a property manager undertakes leasing responsibilities, it may be compensated through the overall property management fee, limitations on which are discussed above, or by a separate fee structure for leasing fees. The actual amount of leasing fees and the existence and magnitude of the difference between types of fees such as those for new and renewal leases, differ from one geographic location to another. Where a property manager is separately compensated for leasing services, for purposes of this exemption, (a) the fee for new leases will not exceed 7 percent of the lease amount; (b) the fee for renewal leases will not exceed 2 percent of the lease amount; and (c) the fee for leases in which outside brokers are involved will not exceed 1 percent of the lease amount. The actual fees to be charged, as previously discussed, will be negotiated and reviewed by the Independent Fiduciary.

The compensation to be paid for the services will be governed by a written agreement that will be binding on EREIM or TSP and the respective Account. The compensation and other terms of the agreement will be comparable to compensation paid between unrelated parties for comparable services in connection with comparable properties in the same or similar locales. The written agreement will provide for the separate rates of compensation for general property management services and leasing services and include limitations on the fees paid to EREIM or TSP.

V. Legal Services

In addition to the property services described above, Equitable requests exemptive relief to permit its Law Department to provide certain legal services that are required in connection with individual properties that are held by the Accounts. The legal services for which exemptive relief is requested include: (a) Drafting, reviewing, negotiating and modifying contracts of purchase of sale and mortgage commitments and other transaction documents; (b) reviewing title evidence furnished by outside counsel; (c) reviewing and negotiating new leases and renegotiating existing leases; (d) drafting and negotiating joint venture and partnership agreements; (e) providing legal opinions required in connection with specific transactions; and (f) negotiating, drafting or reviewing necessary documentation in connection with property management transactions. In most instances, legal services are currently provided to the Accounts by outside counsel retained by Equitable whose fees are paid directly by the Accounts. Where outside counsel provide legal services, the Law Department works in close conjunction with them and has the final authority and responsibility with respect to the services performed. In some instances, legal services have been provided by the Law Department. In such cases, the Accounts have not been charged, but the costs incurred by the Law Department have been reimbursed by EREIM and Equitable from their investment management fee.

Equitable submits that it is uneconomical and unfair to continue to provide legal services if the Law Department cannot be reimbursed for its expenses incurred in connection with the service. Further, Equitable believes it is in the best interests of the Accounts for the Law Department to provide legal services to the Accounts because of the familiarity of Law Department attorneys with Account investment needs and practices that outside counsel do not possess and the belief that such in-house attorneys will render legal services more efficiently and on a more expert basis than outside counsel.

If the exemption is granted, fees for legal services provided by the Law Department will be based on hourly rates that are calculated to cover the Law Department's direct costs for compensation and benefits (that are either paid to or provided for the person rendering such services) as well as an allocable share of the Law Department's

⁷ In this regard, the Department notes that regulations issued under section 408(b)(2) (29 CFR 2550.408b-2) provide that no contract or arrangement for the provision of services is reasonable within the meaning of section 408(b)(2) and § 2550.408b-2(a)(2) if it does not permit termination by the plan without penalty to the plan on reasonably short notice under the circumstances to prevent the plan from becoming locked into an arrangement that has become disadvantageous.

overhead.⁸ The hourly rates, which will be adjusted from time to time to reflect changes in the cost of providing legal services, will range from \$55-\$80 per hour for paralegal personnel, and \$85-\$195 per hour for staff attorneys depending upon their experience and rank within the Law Department. Equitable believes that it has developed comprehensive procedures for the tracking of direct costs and the allocable share of overhead to be reimbursed under the exemption to assure that the items of expense which represent a profit will not be reimbursed by the Accounts.

VI. Role of the Independent Fiduciary for Legal Services

Equitable has designated the law firm of Rosenman and Colin (Rosenman and Colin) as the initial Independent Fiduciary for legal service transactions involving the Law Department. In particular, Rosenman and Colin will be used in connection with the selection of the Law Department to perform these services. However, such appointment will be subject to annual confirmation by the holders of a majority of the units of beneficial interests in the Accounts. Mendes Hershman, a former New York Life Insurance Company general counsel and current senior partner with Rosenman and Colin, will be designated the specific responsibility for the tasks required of the Independent Fiduciary for legal services.

Equitable believes that the Independent Fiduciary for legal services meets certain standards for professional expertise and independence that are consistent with those required of the Independent Fiduciary for property management and leasing services. In particular, (a) the Independent Fiduciary has substantial expertise and experience in the matters committed to its charge; (b) neither Equitable nor its affiliates have any interest in the Independent Fiduciary and the Independent Fiduciary has no interest in Equitable or its affiliates; (c) no more

than 5 percent of the Independent Fiduciary's annual gross receipts may come from Equitable or its affiliates; (d) the Independent Fiduciary may be removed by Equitable only for cause or, for any reason, by a vote of the holders of a majority of the units of beneficial interests in an Account; and (e) the fees of the Independent Fiduciary will be paid on a proportional basis by the Accounts which it serves.

The Independent Fiduciary will approve: (1) The initial selection of the Law Department to provide services to an Account; and (2) on a service by service basis, the provision, for a fee, of legal services rendered by attorneys in the Law Department prior to the performance of such services. Similarly, the advance approval of the Independent Fiduciary will be required in instances in which a material change occurs in a legal service transaction (e.g., increased costs).

Prior to authorizing the Law Department to begin submitting proposals for the performance of particular legal services on behalf of an Account, the Independent Fiduciary must determine whether the Law Department is well-qualified to perform the legal services in question. In this connection, the Independent Fiduciary must determine in advance that: (a) The Law Department's billing rates are reasonable as compared to those charged by other potential legal service providers; (b) the criteria to be used by Equitable for the allocation of tasks between the Law Department and outside counsel, and for the assignment of the Law Department personnel are appropriate and efficient; and (c) the estimated fee range for each transaction type is reasonable.

In this regard, upon the appointment of the Independent Fiduciary, Equitable will furnish the following information: (a) a copy of the above referenced exemption application; (b) a description of the Accounts, their investment policies, investment portfolios and investing clients; (c) a description of the Law Department and the services it has performed and will perform in connection with real estate transactions for the Accounts; (d) biographical information on the staff attorneys and their supervisors who are expected to work on Account matters, including a description of their relevant work experience, years of practice and familiarity with relevant areas of the law; (e) a list of billing rates for all attorneys who may bill time to an Account; (f) a description of the criteria used to determine whether a particular

transaction or part of a transaction should be handled by the Law Department or referred to outside counsel who is supervised by the Law Department, the criteria for the selection of outside counsel and for determining assignment of tasks among Law Department attorneys; and (g) a detailed description of the types of transactions the Law Department attorneys may handle and an estimate of the range of monthly fees normally incurred to accomplish each type of transaction.

In connection with the Independent Fiduciary's consideration of whether or not to authorize the Law Department to begin charging fees for legal services to an Account, the Independent Fiduciary will consider, among other things, the cost to the Account of the Independent Fiduciary's involvement in the decision-making process and the cost and quality of similar legal services that could be provided by other law firms in major metropolitan areas other than New York City. The Independent Fiduciary will also consider the location where legal services could best be performed and take into account the location of the business representatives of Equitable who are involved in the transaction.

In connection with these determinations, the Independent Fiduciary may rely upon reports furnished to it by either Equitable or Price Waterhouse (Price Waterhouse), Certified Public Accountants. Price Waterhouse will undertake an extensive review of the Law Department's billing and budgeting system to evaluate the integrity of the system for recording a professional's time and retrieval of the data used to prepare the bills. The Independent Fiduciary may also apply its own knowledge of cost and quality of comparable real estate services at law firms in other metropolitan areas and it may gather any additional information that it deems appropriate.

In addition to the above initial judgment that the Law Department is qualified to perform legal services for Account properties, the Independent Fiduciary will be responsible for approving the provision of legal services by attorneys of Equitable's Law Department prior to the performance of such service. For each real estate transaction for which the Law Department proposes to provide legal services for a fee, Equitable will provide the Independent Fiduciary with a written statement setting forth: (a) The general nature of the real estate transaction; (b) the names of attorneys and specialists who will be working on the transaction as well as their billing

⁸ In this regard, the Department's Service Provider Regulations (29 CFR 2550.408b-2, June 24, 1977) state at § 2550.40-2(e)(3), that if a fiduciary provides services to a plan without the receipt of compensation or other consideration (other than reimbursement of direct expenses properly and actually incurred in the performance of such services within the meaning of § 2550.408c-2 (b)(3), the provision of such services does not, in and of itself, constitute an act described in section 406(b) of the Act. Section 2550.408c-2 (b)(3) states in relevant part, that an expense is not a direct expense to the extent it represents an allocable portion of overhead costs. Thus, the receipt by the Law Department of allocable overhead would not constitute a direct expense under section 408(b)(2) and applicable regulations.

rates; (c) the estimated cost of legal services; and (d) a brief statement of why the provision of the particular legal service by the Law Department would be in the best interests of the Accounts.⁹

Following approval of the particular service and rendering of that service by the Law Department, the Law Department will submit quarterly bills to the Independent Fiduciary for legal services provided the Accounts. The bills will identify for each Account the properties and transactions with respect to which services were rendered, briefly describe the services rendered and indicate the amount of time spent on the service. Each bill will also identify the attorneys or other professionals who were involved in the service, the number of hours each charged and the billing rate for each attorney or professional. From this data, the Independent Fiduciary will determine whether the proposed charge relates to a transaction that was previously approved as being capable of being handled by the Law Department, and that the charge for each completed transaction is within the acceptable range of estimated fees for the type of transaction involved. If appropriate, the Independent Fiduciary will approve the bill subject to certain reduction and provide written authorization for its payment. If the amount billed exceeds the estimated fee range, the Independent Fiduciary will conduct a more in-depth review of such charge. Depending upon its receipt of an explanation for such excess by the Law Department, the Independent Fiduciary will determine whether the charge should be paid.

The Independent Fiduciary will also perform a detailed review of approximately 10 percent of all completed transactions that are billed each quarter and approved for payment. The sample will include a cross-section of all different types of approved transactions and all of the attorneys who regularly perform work on Account-related transactions. The detailed review of a 10 percent sample of transactions is intended to determine whether the services rendered were necessary, authorized, performed in a satisfactory and professional manner, and performed in a manner that is

consistent with the criteria for using Law Department attorneys and assigning tasks among these attorneys. The sample is intended to indicate the potential existence of abuses in the remainder of completed legal services transactions. The Independent Fiduciary's in-depth review is also intended to determine whether the fees charged have not exceeded the approved estimate, or are subject to an acceptable explanation from the Law Department.

In addition, the Independent Fiduciary will review and approve the reasonableness of any changes that may be proposed by the Law Department in information originally provided by Equitable to the Independent Fiduciary in making its initial determinations. These changes may include modifications by Equitable in the types of transactions and monthly fees charged by Law Department attorneys, changes in the allocation of tasks between the Law Department and outside counsel utilized for legal services and changes in the billing rates for all attorneys who may bill time to an Account.

As a further safeguard, the Independent Fiduciary will perform an annual evaluation of its determinations regarding the qualifications of the Law Department and the appropriateness of its fees that have been described above.

Equitable will require that such annual review by the Independent Fiduciary focus on an evaluation of the Independent Fiduciary's workload in light of the volume of proposals that are actually submitted. On the basis of this evaluation, the Independent Fiduciary will be permitted to raise or lower the annual limit on the number of proposals that may be made.

A written record will be maintained of each determination made by the Independent Fiduciary and the basis for the determination. The written record may be maintained in the form of reports or minutes of the deliberations by the Independent Fiduciary. The written records will include the information considered and steps taken by the Independent Fiduciary in reaching its decision and the reasons for any actions taken in connection with the Independent Fiduciary's periodic review of the performance of the Law Department. These written records will be delivered periodically to EREIM or Equitable and kept in accordance with the provisions of section III of this exemption.

VII. Plan Investor Approval of the Provision of Multiple Services by Equitable Affiliates to Account Properties

Equitable will issue separate policy statements (the Policies) to investors whose assets are currently invested in the Accounts regarding its intention that property management and leasing services (the Property Services Policy) and legal services (the Legal Services Policy) be provided to Account properties by Equitable or its affiliates. The Policies that such services be rendered will be subject to the prior approval of a plan fiduciary (the authorizing fiduciary) with respect to each plan that has invested in the Account. Such authorizing fiduciary (other than in the case of a plan covering employees of Equitable) will be independent of Equitable. Equitable or EREIM as investment managers, shall furnish the authorizing fiduciary, not less than 45 days prior to implementing either the Property Services Policy or the Legal Services Policy, with any reasonable available information necessary to determine whether such approval should be given including: (a) An explanation of the potential conflicts of interest involved in the selection of EREIM or TSP as service providers of property services or the Law Department as a service provider of legal services; (b) identification of the properties, at the time of disclosure, which will require such services; (c) a description of the services to be rendered and the fees to be charged; (d) an explanation of the selection process; (e) an estimate of the fees that would be paid to EREIM, TSP or the Law Department if they are selected to provide services; and (f) a description of the terms, if any, upon which a plan may withdraw from an Account.

In the event an authorizing fiduciary of any plan whose assets are currently invested in the Accounts submits a notice in writing to Equitable or EREIM objecting to one or both of the Policies, at least 15 days prior to implementation of a Policy, either the Policy will not be implemented or the plan on whose behalf the objection was tendered will be given the opportunity to withdraw from the Account without penalty to the plan. With the exception of closed-end Accounts such as SA-16I, SA-16II and SA-16IV where the ability of a plan to withdraw may be limited by the investment contract, if objection is given after 15 days prior to implementation (or after implementation), the plan must be able to withdraw within such time as may be necessary to effect such

⁹ Initially, the Law Department will submit to the Independent Fiduciary no more than 100 proposals per year to provide Account-related legal services. However, Equitable represents that because the Accounts' needs for services may vary over time, the Independent Fiduciary will develop a more accurate assessment of the time and resources required to review the transactions as he gains more experience with the program. Therefore, it is anticipated that the volume of transactions may fluctuate from year to year.

withdrawal in an orderly manner that is fair to both withdrawing and non-withdrawing plans in the Account. Any plan with which Equitable has a discretionary asset management arrangement may terminate such arrangement and withdraw from any Account at any time.

In the case of a plan whose assets are proposed to be invested in an Account subsequent to the implementation of a Policy and which has not authorized the arrangement in the manner described above, the plan's investment in the Account (and approval of the service arrangements) shall be subject to the prior written authorization of an authorizing plan fiduciary. However, prior to giving written authorization to Equitable, such plan fiduciary must receive the same Policy disclosures from Equitable as those provided to fiduciaries of plans currently investing in an Account.

Following implementation, each Policy for the provision of multiple services to an Account will be subject to annual confirmation, pursuant to which the arrangement may be terminated by a vote in favor of such termination by the holders of a majority of the units of beneficial interests in the Account. In the event of a vote to terminate the arrangement, Equitable will cease submitting to the Independent Fiduciary any new proposals to engage in covered transactions and will not renew or extend any covered transactions. Moreover, within 180 days after the vote of the contract holders, Equitable will cease engaging in any existing covered transactions.

In addition, not less than annually, the authorizing fiduciary will receive a report (the Annual Report) from Equitable detailing the total of all fees incurred by an Account for services provided by EREIM or TSP or the Law Department, a description of the services performed, and an estimate of fees anticipated to be paid to EREIM or TSP. The Annual Report will also contain a description of the method for the termination of the multiple services arrangement and for the confirmation and/or removal of the Independent Fiduciary by investing plans.

VIII. Plan Asset Limitations and Requirement for Investor Sophistication

To ensure that plans investing in the Accounts have the resources and necessary investment sophistication to evaluate the contemplated services arrangements, Equitable proposes a two-part standard to be applied to the Accounts. First, at least 75 percent of the beneficial interest in the Account must be held by plans or other investors

having total assets of at least \$50 million. Second, in order to meet the concern that a substantial portion of the interests in an Account might be held by a small number of plan investors, Equitable proposes the additional requirement that at least 50 percent of the plans investing in the Account have assets of at least \$50 million. For purpose of the second standard, a group of plans would be counted as a single plan if either the decision to invest in the Account (or the decision to make investments in the Account available as an option for an individually directed account) was made by a fiduciary other than Equitable who exercises such discretion with respect to plan assets of a value in excess of \$50 million.¹⁰

As an added condition of the exemption, Equitable proposes that a limitation be placed on the percentage of a plan's assets that can be invested in the Accounts. For Equitable in-house plans, Equitable proposes that no more than 5 percent of the assets of any plan it maintains may be invested in an Account that receives services from EREIM, TSP or the Law Department. In addition, Equitable states that no more than 10 percent of the assets of any such Account may represent assets of plans maintained by Equitable. For other plans, Equitable proposes that no more than 20 percent of a plan's assets can be invested in the Accounts. However, this 20 percent limitation will not apply to those plans which, as of the date of this proposed exemption, have more than 20 percent of their assets invested in the Accounts.

IX. The Department's Review of Equitable's Request To Extend the Exemption

In order to demonstrate that the transactions have operated in the interests of the Accounts, Equitable has developed a procedure to assist the Department in its review and consideration of the exemption. Under the proposed procedure, the exemption will be granted for an initial period of five years. However, approximately one year prior to the expiration of the exemption, Equitable or EREIM, as investment managers to the Accounts, may, if desired, apply for an extension of the exemption. The application for extension will describe whether and how compliance with the exemption has been achieved. In particular, the application for extension will describe:

¹⁰ According to Equitable, this requirement will only have an impact on pooled Accounts. This is so because single customer Accounts are established on behalf of plans that have more than \$50 million in assets.

(a) The number of transactions engaged in under the exemption; (b) the decisions made by the Independence Fiduciaries for the various services; and (c) the fees that have been paid to the Law Department, EREIM or TSP for the property services and legal services that have been rendered under the exemption. Upon request by the Department, Equitable and EREIM will provide supplemental information reflecting the actual results of the operation of the exemption and the cost savings achieved for the Accounts. (See section X below.) Further, the application for extension will include a report from the Independent Fiduciaries expressing such fiduciaries' views and rationales with respect to the extension of the exemption, and whether the Independent Fiduciaries believe cost savings have been achieved for the Accounts. If proposed, the application for extension will be processed by the Department in accordance with the criteria set forth under section 408(a) of the Act.

X. Standards To Be Applied in Reviewing Fees Charged by Equitable

Equitable has identified the following additional quantitative standards which the Department may wish to apply in reviewing the compensation paid to Equitable by the Accounts for services rendered pursuant to this proposed exemption. Such review may assist the Department in considering any application submitted by Equitable to extend the five year term of this exemption. The Department is aware that these reviewing standards may change during the period this exemption is in effect. In this regard, the Department notes that it will consider the appropriateness of additional relief based upon the record developed at that time.

A. Property Services

With respect to property management and leasing services, Equitable represents that it has made a survey of the fees that have been recently charged to the Accounts by real estate investment management firms that are unaffiliated with either it or EREIM for services that are comparable to those contemplated herein. Equitable states that according to the survey, the property management and leasing fees charged by the unaffiliated property management firms generally range from 4 percent to 5 percent of gross receipts (depending upon such factors as property type, geographic location and project complexity) and average approximately 4.5 percent of gross

receipts. Although the practices of investment managers regarding fees vary widely, Equitable believes that this data provides a reasonable basis of comparison for determining whether property management and leasing services have been in the best interests of the Accounts and the plans participating therein. Therefore, Equitable proposes that the standard of review to be adopted by the Department in evaluating the operation of property services should require Equitable to demonstrate that the aggregate annual property management and leasing fees charged to each Account and described above (including the allocable cost of the services of the Independent Fiduciary under the exemption) is less than 4.5 percent of the gross receipts earned by the Account during each year that EREIM or TSP has provided property management and leasing services pursuant to the exemption. Accordingly, if such fees are less than 4.5 percent of gross receipts, Equitable believes the Department can be assured that the exemption has operated in the best interests of the Account because there will be a net savings, as compared to the cost of such services, had they been provided by unaffiliated property managers.

Further, Equitable notes that this test is a conservative one because it assigns no value to the quality of property management services that may be provided by EREIM or TSP, even though the Independent Fiduciary is required to take the anticipated quality of services into account in approving EREIM or TSP to provide property services.

B. Legal Services

In connection with Equitable's proposed provision of real estate-related legal services, Equitable represents that it has analyzed and relied primarily on a published survey of the practices of real estate investment managers by Evaluation Associates, Inc. (Evaluation Associates), an independent research firm. Based upon this survey, Equitable has observed that none of the real estate investment managers included in the sample charges a separate fee for the provision of in-house legal services. Because Equitable believes there is no precise way to compare the cost of such services, it has endeavored to identify a meaningful alternative.

In this regard, Equitable states that the cost of in house legal services is taken into account by investment managers when they establish their annual asset management fees, which typically are expressed as a percentage of assets under management. Equitable notes that the Evaluation Associates

survey shows that the annual asset management fees charged by real estate investment managers who are independent of Equitable and EREIM range from 1 percent to 1.25 percent of assets under management. Equitable states further that the survey suggests that the trend of these fees is toward 1.25 percent which is believed to result, in part, from the uncertainty that some real estate investment managers have about the propriety of incentive compensation arrangements. Accordingly, Equitable believes that the median of this range (i.e., 1.125 percent of assets under management) represents a conservative estimate of the average annual fee charged to pension plans for real estate investment management services.

In light of the foregoing, Equitable proposes that the Department apply, in assessing the reasonableness of the legal fees, a standard requiring Equitable to demonstrate that fees charged to an Account during each calendar year for Law Department-related legal services (plus the aggregate annual asset management fee to the Account for such year and the allocable cost of the Independent Fiduciary designated for legal services) aggregate less than 1.125 percent of the average value of the assets under management. Accordingly, if such combination is below 1.125 percent per annum, Equitable believes the Department can be assured that the provision of legal services by Equitable's Law Department has resulted in a net savings to the Account.

C. Opinions of Jackson-Cross Concerning Fees and Proposed Standards of Comparison

Jackson-Cross, as independent fiduciary, has reviewed the above standards that Equitable has proposed to be applied by the Department in its consideration of the compensation that will be paid to Equitable by the Accounts for services rendered under the exemptions proposed herein. With respect to property services, Jackson-Cross represents that it has examined Equitable's internal survey of property managers. Jackson-Cross states that the survey covers approximately 622 properties that are located in 28 different cities and it includes 228 outside agents as well as instances in which EREIM performs real estate-related services. Jackson-Cross explains that since the cost of property management and leasing services varies somewhat depending on geographic location and property types, it has examined real estate investments in SA-8 which is Equitable's largest single

investment portfolio. Jackson-Cross believes investments in SA-8 represent a good cross-section of properties by geography and property type.

Based upon its review of the above information, Jackson-Cross represents that a typical range of annual fees for property management and leasing services for a portfolio similar to SA-8 is from 4 percent to 5 percent of gross receipts collected, with a reasonable midpoint of 4.5 percent. In this regard, it is Jackson-Cross' opinion that property service transactions resulting in aggregate fees of less than 4.5 percent of gross receipts earned by the Accounts should generate cost savings to the Accounts.

With respect to legal services provided by Equitable's Law Department, Jackson-Cross concurs in Equitable's conclusion that there is no clear way to evaluate the cost of legal services and that the most suitable alternative is to evaluate the cost of asset management services (which Jackson-Cross assumes to include in-house legal services). Jackson-Cross explains that the survey titled *The Specialized Edition of Real Estate Profiles*, published by Evaluation Associates for the third quarter of 1988, contains information on the asset management fees charged for 44 funds by approximately 30 investment managers. Jackson-Cross also notes that in *The Diversified Edition*, another survey published by Evaluation Associates, covers 46 funds and approximately 38 investment managers. Jackson-Cross points out that while the funds profiled in the surveys vary by size and fee arrangement, there is generally little variability by geography or property type.

Based upon its findings and review of the above materials, Jackson-Cross observes that a typical range of annual fees for asset management services is between 1 percent to 1.25 percent of the value of the assets under management, with a reasonable mid-point of 1.125 percent. In this regard, it is Jackson-Cross' opinion that transactions resulting in an aggregate asset management fee (which is inclusive of charges for legal services that are rendered by Equitable's Law Department) of less than 1.125 percent of the value of the assets that are under management by Equitable should result in a cost savings to the Accounts.

XI. Summary

In summary, the applicant represents that the statutory criteria of section 408(a) of the Act are satisfied by the proposed transactions because, among

other things: (a) Fiduciaries of each plan participating in an Account (with the exception of plans for employees of Equitable) will, following full disclosure by Equitable, authorize the participation of each plan in an Account which will utilize the services of EREIM, TSP or the Law Department; (b) Equitable or EREIM, as the investment managers for the Accounts, will first determine on a property by property basis that it may be in the best interests of the Accounts for EREIM, TSP or the Law Department to provide the aforementioned services before recommending to the appropriate Independent Fiduciary that EREIM, TSP or the Law Department provide such services; (c) the appropriate Independent Fiduciary must consider the recommendation and specific alternatives before EREIM or TSP is selected to perform property management and leasing services and the Law Department is selected to perform legal services on a property by property basis; (d) the appropriate Independent Fiduciary will evaluate the reasonableness of the fees charged by Equitable, EREIM, and TSP and negotiate the terms of each service arrangement; (e) the appropriate Independent Fiduciary will review the performance of EREIM, TSP or the Law Department under such arrangements and, where proper, instruct Equitable or EREIM, as investment manager, to terminate or modify the contract or exercise such other rights as may be available under the contract, and whereafter Equitable will comply with such instructions; (f) the compensation paid to EREIM, TSP or the Law Department will be no greater than that charged by similar firms for comparable services in connection with comparable properties in similar locales and such compensation will not be more than what EREIM, TSP or the Law Department would charge an unrelated party; (g) the Accounts will be subject to a sophisticated plan investor test to assure that plans investing in the Accounts have the resources and investment sophistication necessary to evaluate the risks, benefits and costs associated with the contemplated services arrangements; and (h) limitations will also be placed on the percentage of plan assets that may be invested in the Accounts.

Notice to Interested Persons

Those persons who may be interested in the pendency of the requested exemption include fiduciaries and participants of plans which have invested or which may invest in an Account. Because of the large number of plans which currently invest in the

Accounts, the Department has determined that the only practical form of providing notice to interested persons is the distribution, by Equitable, of the notice of proposed exemption as published in the **Federal Register** to fiduciaries of all plans currently invested in any Account. Such distribution will occur within 30 days of the publication of the notice of proposed exemption in the **Federal Register**.

General Information

The attention of interested persons is directed to the following: (1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code, including any prohibited transaction provisions of the Act and the Code to which the exemption does not apply and, to the extent jurisdiction exists under Title I of the Act, the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) The proposed exemption, if granted, will not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code;

(3) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan; and

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction.

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time period set forth above. All comments will be made a part of the record. Comments received will be available for public inspection with the application for exemption at the address set forth above.

Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting the requested exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975).

Section I—Covered Transactions

The restrictions of section 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code by reason of section 4975(c)(1)(A) through (E) of the Code shall not apply to the following transactions described below if each of the applicable conditions set forth in section II is met.

(1) The provision of property management and/or leasing services by EREIM or TSP to an Account (as defined in Section IV);

(2) The transfer of the Excluded Contract (as defined in section IVC) to TSP;

(3) The provision of property management and/or leasing services by TSP to an Account pursuant to the acquisition by Equitable or EREIM, on behalf of an Account, of a property subject to a contract for the provisions of such services by TSP; and

(4) The provision by the Law Department of certain legal services required in connection with individual properties held by the Accounts.

Section II—Conditions

(1) The arrangement under which the covered transactions is performed is subject to the prior authorization of an independent plan fiduciary with respect to each plan whose assets are invested in the Account, following disclosure of information in the manner described in paragraph (2) below. In the case of a plan whose assets are proposed to be invested in an Account subsequent to implementation of the applicable Policy, the plan's investment in the Account is subject to the prior written authorization of an independent plan fiduciary

following disclosure of the information described in paragraph (2). The requirement that the authorizing fiduciary be independent of Equitable shall not apply in the case of plans maintained by Equitable on behalf of its employees.

(2) Not less than 45 days prior to the implementation of either the Property Services Policy or the Legal Services Policy, Equitable or EREIM, as investment manager, shall furnish the authorizing plan fiduciary with any reasonably available information which Equitable or EREIM believe to be necessary to determine whether such approval should be given, as well as such information which is reasonably requested by the authorizing plan fiduciary. Such information will include: a description of the services to be performed by EREIM, TSP or the Law Department; identification of properties for which services will be required; an estimate of the fees that would be paid to EREIM, TSP or the Law Department if they are selected to provide such services; an explanation of the potential conflicts of interest involved in selecting EREIM, TSP or the Law Department; an explanation of the selection process; and a description of the terms upon which a plan may withdraw from an Account.

(3) In the event an authorizing plan fiduciary of any plan whose assets are invested in an Account submits a notice in writing to Equitable or EREIM, as investment manager, at least 15 days prior to implementation of either the Property Services Policy or the Legal Services Policy, objecting to the implementation of, the applicable Policy, the plan on whose behalf the objection was tendered will be given the opportunity to terminate its investment in the Account, without penalty. With the exception of a plan which has invested in a closed-end Account under which the rights of withdrawal from the Account may be limited as provided in the plan's written agreement to invest in the Account, if written objection to either Policy is submitted to Equitable or EREIM any time after 15 days prior to implementation of either the Property Services Policy or the Legal Services Policy (or after implementation), the plan must be able to withdraw without penalty, within such time as may be necessary to effect such withdrawal in an orderly manner that is equitable to all withdrawing plans and to the non-withdrawing plans. However, Equitable or EREIM need not discontinue operating pursuant to a Policy, once implemented, by reason of a plan electing to withdraw after 15 days prior

to the scheduled implementation date of either the Property Services Policy or the Legal Services Policy. Any plan which has a discretionary asset management arrangement with Equitable may terminate such arrangement and withdraw from an Account at any time.

(4) Equitable or EREIM shall furnish the authorizing plan fiduciary and the Independent Fiduciary acting on behalf of the plans participating in the Account with the Annual Report containing the information described in this paragraph, not less frequently than once a year and not later than 45 days following the end of the period to which the report relates. Such report shall disclose the total of all fees incurred by the Account during the preceding year under contracts with EREIM, TSP or the Law Department; include a description of the properties and the services that have been performed by EREIM, TSP or the Law Department for the Account; and delineate the fees that are anticipated to be paid to EREIM, TSP or the Law Department in the coming year for services provided by these entities in connection with properties held by an Account. The Annual Report will also contain a description of the method for the termination of the multiple services arrangement and for the confirmation and/or removal of the Independent Fiduciary by investing plans in the Accounts.

(5) The multiple services arrangement for an Account shall be subject to annual confirmation following receipt of the Annual Report, pursuant to which the arrangement shall be terminated by a vote in favor of such termination by the holders of a majority of the units of beneficial interests in the Account. In the event of a vote to terminate the arrangement, Equitable shall cease submitting to the Independent Fiduciary (as defined in section IV) any new proposals to engage in covered transactions and Equitable will not renew or extend any covered transactions. Moreover, within 180 days after the vote of the contract holders, Equitable shall cease engaging in any existing covered transactions.

(6) Each transaction shall be reviewed and approved by an Independent Fiduciary. The Independent Fiduciaries for property services and legal services shall negotiate the contracts for the provision of services by EREIM, TSP and the Law Department and shall review, as applicable, the performance of EREIM, TSP, or the Law Department under each of their contracts with the Accounts at least once each year and shall instruct Equitable and EREIM of any action which should be taken by

Equitable on behalf of the Accounts with respect to the continuation, termination or other exercise of rights available to the Account under the terms of the contracts. Equitable will carry out such instruction from the Independent Fiduciary to the extent it is legal and permitted by the terms of the service provision arrangement.

(7) The terms of each such arrangement shall be in writing and must be reviewed and approved by the appropriate Independent Fiduciary prior to implementation. In the case of any emergency circumstances, EREIM or TSP may provide property services to an Account for a period not exceeding 90 days, but no compensation may be paid by an Account for such services without the prior approval of the Independent Fiduciary for property management and leasing services.

(8) Equitable and EREIM shall furnish the Independent Fiduciaries acting on behalf of the Accounts with respect to the property services and legal services with any reasonably available information with Equitable reasonably believes to be necessary or which the Independent Fiduciaries shall reasonably request to determine whether such approval of the transactions described above should be given or to accomplish the Independent Fiduciaries periodic reviews of the performance of EREIM, TSP or the Law Department under the contracts.

(9) Seventy-five percent or more of the units of beneficial interests in an Account must be held by plans or other investors having total assets of at least \$50 million. In addition, 50 percent or more of the plans investing in an Account must have assets of at least \$50 million. For purposes of the 50 percent test above, a group of plans will be counted as a single plan if either the decision to invest in the Account (or the decision to make investments in the Account available as an option for an individually directed account) is made by a fiduciary other than Equitable who exercises such discretion with respect to plan assets in excess of \$50 million.

(10) Not more than 5 percent of the assets of a plan covering employees of Equitable will be invested in an Account and not more than 10 percent of the assets of an Account will be represented by the plans covering employees of Equitable. For other plans, not more than 20 percent of the assets of each such plan can be invested in the Accounts. However, this 20 percent limitation will not apply to those plans which, as of the date of this proposed exemption, have more than 20 percent of their assets invested in the Accounts.

(11) At the time the transactions are entered into, the terms of the transactions must be at least as favorable to the Accounts as the terms generally available in arm's length transactions between unrelated parties. In addition, the compensation paid to EREIM, TSP or the Law Department for services under its contracts with any Account shall not be in excess of that which would be paid in an arm's length transaction between unrelated parties for comparable properties in similar locales. In any event, such compensation shall not be in excess of reasonable compensation within the meaning of section 408(b)(2) of the Act and regulation 29 CFR 2550.408b-2.

Section III—Recordkeeping

(1) Equitable or EREIM will maintain for a period of six years from the date of the transaction, the records necessary to enable the persons described in paragraph (2) of this section to determine whether the conditions of this exemption have been met. Included in these records maintained by Equitable or EREIM will be the written records of the Independent Fiduciary as described in Sections III and VI of the Summary of Facts and Representations which had been periodically furnished by the Independent Fiduciary to EREIM or Equitable. However, a prohibited transaction will not be considered to have occurred if, due to circumstances beyond Equitable's or EREIM's control, the records are lost or destroyed or the records of the Independent Fiduciary are not maintained or produced prior to the end of the six-year period.¹¹

(2)(a) Except as provided in subsection (b) of this paragraph and notwithstanding any provisions of subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (1) of this section are unconditionally available at their customary location for examination during normal business hours by:

(1) Any duly authorized employee or representative of the Department and the Internal Revenue Service;

(2) Any fiduciary of a plan who has authority to acquire or dispose of the interests of the plan in the Accounts or any duly authorized employee or

representative of such fiduciary;

(3) Any contributing employer to any plan that has an interest in the Accounts or any duly authorized employee or representative of such employer;

(4) Any participant or beneficiary of any plan participating in the Accounts, or any duly authorized employee or representative of such participant or beneficiary; and

(5) The Independent Fiduciary.
(b) None of the persons described in subparagraphs (2)–(5) of this paragraph shall be authorized to examine trade secrets of Equitable, EREIM, TSP or commercial or financial information which is privileged or confidential.

Section IV—Definitions

(1) The Accounts—The Accounts are Equitable's Separate Account No. 8 (SA-8), Separate Account No. 16-I (SA-16I); Separate Account No. 16II (SA-16II); Separate Account No. 16IV (SA-16IV); two IBM single-customer real estate separate accounts; the Westinghouse single-customer real estate advisory account; and such other pooled or single-customer accounts, joint ventures, general or limited partnerships or other real estate investment vehicles that may be established by Equitable for the investment of employee benefit plan assets in real estate related investments to the extent disposition of its assets is subject to the discretionary authority of Equitable.

(2) Equitable—For purposes of this exemption, the term Equitable includes Equitable and/or affiliates of Equitable as defined in paragraph (3) of this section which act as investment managers with respect to the Account, but does not include TSP.

(3) An affiliate of a person means (a) any person directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with the person.

(4) The term "control" means the power to exercise a controlling influence over the management of policies of a person other than an individual.

(5) The Excluded Contract—The Excluded Contract consists of a property management agreement between Equitable on behalf of SA-8 and an affiliate of the non-Equitable partners in TSP.

(6) Independent Fiduciary—A person who: (a) Is not an affiliate of Equitable or TSP as defined in section IV(3); (b) Is not an officer, director, employee of, or partner in, Equitable or TSP (or affiliates thereof as defined in section IV(3));

(c) Is not a corporation or partnership in which Equitable or TSP has an

ownership interest or is a partner;

(d) Does not have an ownership interest in Equitable, TSP or its partners;

(e) Is not a fiduciary with respect to any plan participating in an Account; and

(f) Has acknowledged in writing acceptance of fiduciary obligations and has agreed not to participate in any decision with respect to any transaction in which the independent Fiduciary has an interest that might affect its best judgment as a fiduciary.

For purposes of this definition of Independent Fiduciary, no organization or individual may serve as an Independent Fiduciary for any fiscal year if the gross income received by such organization or individual (or any partnership or corporation of which such organization or individual is an officer, director, or 10 percent or more partner or shareholder) from Equitable, TSP and their affiliates (including amounts received for services as Independent Fiduciary under any prohibited transaction exemption granted by the Department) for that fiscal year exceeds 5 percent of its or his annual gross income from all sources for such fiscal year.

In addition, no organization or individual who is an Independent Fiduciary, and no partnership or corporation of which such organization or individual is an officer, director or 10 percent or more partner or shareholder, may acquire any property from, sell any property to or borrow any funds from Equitable, TSP, their affiliates, or any Account maintained by Equitable or its affiliates, during the period that such organization or individual serves as an Independent Fiduciary and continuing for a period of 6 months after such organization or individual ceases to be an Independent Fiduciary or negotiate any such transaction during the period that such organization or individual serves as Independent Fiduciary.

The proposed exemption, if granted, will be subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to the exemption.

FOR FURTHER INFORMATION CONTACT:
Ms. Jan D. Broady of the Department, telephone (202) 523-8881. (This is not a toll free number.)

¹¹ Equitable represents that it will determine, at least annually, whether the Independent Fiduciary's written records are maintained in accordance with the description contained in Sections III and VI of the Summary of Facts and Representations. The Department will consider a failure of the Independent Fiduciary to maintain such records in determining whether to extend this exemption pursuant to a request of Equitable following the end of the five year duration of this exemption.

Signed at Washington, DC, this 23d day of February 1990.

Ivan Strasfeld,

Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
U.S. Department of Labor.

[FR Doc. 90-4531 Filed 2-27-90; 8:45 am]

BILLING CODE 4510-29-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration, Office of Records Administration.

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 USC 3303a(a).

DATES: Requests for copies must be received in writing on or before April 16, 1990. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

ADDRESSES: Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, Washington, DC 20408. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in parentheses immediately after the name of the requesting agency.

SUPPLEMENTARY INFORMATION: Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period.

Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of records that takes into account their administrative use by the agency of origin, the rights and interests of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending:

1. Department of the Air Force, Directorate of Information Management and Administration (N1-AFU-90-13). Records relating to equipment and facility maintenance.

2. Department of the Air Force, Directorate of Information Management and Administration (N1-AFU-90-15). Records relating to military personnel.

3. Department of the Air Force, Directorate of Information Management and Administration (N1-AFU-90-16). Records relating to military pay.

4. Department of the Air Force, Directorate of Information Management and Administration (N1-AFU-90-18). Records relating to travel.

5. Department of the Air Force, Directorate of Information Management and Administration (N1-AFU-90-19). Routine accounting records.

6. Defense Intelligence Agency (N1-373-89-10). Routine management support files relating to external program responsibilities.

7. Defense Intelligence Agency (N1-373-90-1). Routine and facilitative Defense Attache Office records.

8. Department of Agriculture, Soil Conservation Service (N1-114-90-1). Project records authorizing construction of minor temporary structures.

9. Department of Commerce, Bureau of the Census (N1-29-89-3). Title 15 data files created by the Demographic Surveys Division.

10. Department of Commerce, Office of the Secretary (N1-40-90-1). Routine or otherwise facilitative records identified within permanent records scheduled for transfer to the National Archives.

11. Department of Commerce, International Trade Administration (N1-151-90-1). Routine, duplicative, or unidentifiable audiovisual material identified within permanent records scheduled for transfer to the National Archives.

12. Department of Education, National Council on Educational Research (N1-441-90-1). General records, 1973-85.

13. Department of Health and Human Services, Public Health Service, Health Resources and Services Administration, Bureau of Health Professions (N1-90-88-7). National Practitioner Data Bank source documents and unedited data such as social security numbers, names, and other information that would identify individuals.

14. Department of Health and Human Services, Public Health Service, Health Resources and Services Administration, Bureau of Health Professions (N1-90-89-7). National Vaccine Injury Compensation Program Case Files.

15. Office of Information Management, Office of Personnel Management (N1-146-90-1). Combined Federal Campaign application files.

16. International Boundary and Water Commission, United States and Mexico, United States Section (N1-76-90-1). Routine facilitative records relating to water flow.

17. Department of Justice, Federal Bureau of Investigation (N1-65-86-8). Records whose expungement has been mandated by Court Order.

18. Department of Justice, Immigration and Naturalization Service (N1-85-90-1). Forms used in administering visa waiver programs.

19. Department of Justice, Immigration and Naturalization Service (N1-85-90-3). Forms used in verifying alien residents' eligibility for benefit programs.

20. Department of Labor, Bureau of Labor Statistics, Office of Productivity and Technology (N1-257-90-1). An unreadable electronic data tape from the Construction Labor and Materials Requirements Survey.

21. National Science Foundation, Office of Legislative and Public Affairs (N1-307-89-1). Congressional Liaison Branch correspondence file and indexes.

22. Office of Personnel Management, Office of Information Management (N1-146-89-3). Obsolete position classification files.

23. Tennessee Valley Authority, Resource Development (N1-142-89-8). Photographs removed from the Forestry Photograph File during archival processing for lack of sufficient archival value to warrant permanent retention.

24. Tennessee Valley Authority, Facilities and Service (N1-142-89-18). Duplicative photographs removed from the "Kodak Negative File" because the view was documented by other photographs in the file (the "Kodak Negative File" is designated for permanent retention).

25. Tennessee Valley Authority, Governmental and Public Affairs (N1-142-89-21). Facilitative correspondence relating to routine administrative matters and records of Citizen Action Line calls maintained in machine readable form.

26. Department of the Treasury, Internal Revenue Service (N1-58-89-7). Administrative files and raw data (textual and machine readable) or "Tax Return Request Study".

Dated: February 20, 1990.

Claudine J. Weiher,

Acting Archivist of the United States.

[FR Doc. 90-4569 Filed 2-27-90; 8:45 am]

BILLING CODE 7515-01-M

NATIONAL COMMUNICATIONS SYSTEM

National Security Telecommunications Advisory Committee; Closed Meeting

A meeting of the National Security Telecommunications Advisory Committee (NSTAC) will be held on March 29, 1990. The business session of the meeting will be held at the Department of State. An executive session of the meeting will be held at the Old Executive Office Building.

Business Session:

- Call to Order
- Welcome from Department of State
- Review of Ongoing NSTAC Activities
- Report from Industry
- Keynote Speech
- Review of Government Activities
- Closing Remarks
- Adjournment

Executive Session:

- Call to Order
- Recognition of departing and arriving chairmen
- Discussion with Government Officials
- NSTAC Closing Discussion
- Adjournment

Due to the requirement to discuss classified information in conjunction with the issues listed above, the meeting will be closed to the public in the interest of National Defense. Any person desiring information about the meeting may telephone (202) 692-9274 or write the Manager, National Communications System, Washington, DC 20305-2010.

Terrence N. Danner,

Captain, USN, Assistant Manager, NCS Joint Secretariat.

[FR Doc. 90-4509 Filed 2-27-90; 8:45 am]

BILLING CODE 3610-05-M

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Agency Information Collection Activities Under OMB Review

AGENCY: National Endowment for the Humanities.

ACTION: Notice.

SUMMARY: The National Endowment for the Humanities (NEH) has sent to the Office of Management and Budget (OMB) the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35)

DATES: Comments on this information collection must be submitted on or before March 30, 1990.

ADDRESSES: Send comments to Ms. Susan Daisey, Assistant Director, Grants Office, National Endowment for the Humanities, 1100 Pennsylvania Avenue NW., room 310, Washington, DC 20506 (202) 786-0494 and Mr. Jim Houser, Office of Management and Budget, New Executive Office Building, 726 Jackson Place NW., room 3002, Washington, DC 20503, (202) 395-7316.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Daisey, Assistant Director, Grants Office, National Endowment for the Humanities, 1100 Pennsylvania Avenue NW., room 310, Washington, DC 20506, (202) 786-0494, from whom copies of forms and supporting documents are available.

SUPPLEMENTARY INFORMATION: All of the entries are grouped into new forms, revisions, or extensions. Each entry is issued by NEH and contains the following information: (1) The title of the form; (2) the agency form number, if applicable; (3) how often the form must be filled out; (4) who will be required or asked to report; (5) what form will be used for; (6) an estimate of the number of hours needed to fill out the form. None of the entries are subject to 44 U.S.C. 3504(h).

Category:

Revision

Title: Division of State Programs: Interim Progress Report Format.

Form Number: N/A.

Frequency of Collection: Biennially.

Respondents: State humanities councils applying for funding.

Use: Application for benefits by State humanities councils to be regranted to nonprofit groups and organizations in their States to make focused coherent humanities education possible in places and by methods that are appropriate to adults. Information will be used by reviewers, panelists, and the Endowment's Chairman to determine eligibility for funding.

Estimated Number of Respondents: 24-28.

Frequency of Response: Biennially.

Estimated Hours for Respondents to Provide Information: 20 hours per respondent or 480-560 total hours for all respondents.

Estimated Total Annual Reporting and Recording Burden: 5568-5648 hours.

Thomas S. Kingston,

Assistant Chairman for Operations.

[FR Doc. 90-4472 Filed 2-27-90; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION

Committee Management; Establishment

The Assistant Director for Biological, Behavioral and Social Sciences has determined that the establishment of the Advisory Panel for Instrumentation Facilities for the Biological and Behavioral Sciences is necessary and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), by 42 U.S.C. 1861 *et seq.* This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Name of Committee: Advisory Panel for Instrumentation Facilities for the Biological and Behavioral Sciences.

Purpose: Primarily to advise on the merit of proposals for research equipment facilities and research-related purposes submitted to NSF for financial support. Additionally, the Panel provides oversight, general advice, and policy guidance to the Instrumentation Facilities for the Biological and Behavioral Sciences Program.

Balanced Membership Plans. Balanced membership is a primary

objective for this panel. Members are selected for their demonstrated scientific capability so as to represent a reasonable balance of capability in the various subfields of the biological sciences. Careful consideration is also given to achieving age and geographical balance and to enhancing representation for women, minority, and handicapped scientists, as well as scientists from predominantly undergraduate institutions. Excellent balance on these dimensions has been achieved and will be continued.

Responsible NSF Official: Gerald Selzer, Program Director for Instrumentation Facilities for the Biological and Behavioral Sciences (202) 357-7652.

Dated: February 23, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-4524 Filed 2-27-90; 8:45 am]

BILLING CODE 7555-01-M

Committee Management; Establishment

The Assistant Director for Biological, Behavior and Social Sciences has determined that the establishment of the Advisory Panel for Postdoctoral Fellowships in Environmental Biology is necessary and in the public interest in connection with the performance of duties imposed upon the Director, National Science Foundation (NSF), by 42 U.S.C. 1861 *et seq.* This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Name of the Committee: Advisory Panel for Postdoctoral Fellowships in Environmental Biology.

Purpose: To provide advice on the merit of applications submitted to NSF seeking financial support for postdoctoral fellowships in environmental biology.

Balanced Membership Plan:

Suggestions for panel membership will come from NSF science directorates, from eligible institutions and their associates, and from others interested in the fields of ecology, ecosystem science, systematics, population biology and physiological ecology. In seeking balanced membership NSF will consider individual qualifications, fields of expertise, and institutional affiliations (e.g., small, medium, or large, public and private, graduate and undergraduate, and minority institutions) including individuals from under-represented groups and different geographic areas.

Responsible NSF Official: James L. Edwards, Acting Division Director,

Division of Biotic Systems and Resources or Joann P. Roskoski, Program Manager, Special Projects, Biotic Systems and Resources, (202) 357-7332.

Dated: February 23, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-4525 Filed 2-27-90; 8:45 am]

BILLING CODE 7555-01-M

Meeting

The National Science Foundation announces the following meeting:

Name: Advisory Committee for Physics, Subcommittee on National Needs in Atomic, Molecular, and Optical Physics.

Date and Time:

March 20, 1990; 9 to 5 p.m.

March 21, 1990; 8:30 to 2 p.m.

Place: Room 341, National Science Foundation, 1800 G Street, NW, Washington, DC 20550.

Type of Meeting: Open.

Contact Person: Dr. Marcel Bardon, Director, Division of Physics, room 341, National Science Foundation, Washington, DC 20550; Telephone (202) 357-7985.

Minutes: May be obtained from contact person listed above.

Purpose of Subcommittee: To provide advice concerning national needs, NSF support and planning for research in the areas of atomic, molecular, and optical physics.

Agenda: Review and discussion of national needs, funding issues and priorities in atomic, molecular and optical physics.

Dated: February 23, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-4527 Filed 2-27-90; 8:45 am]

BILLING CODE 7555-01-M

Meetings: Science and Technology Centers Development Advisory Committee

The National Science Foundation announces the following meetings:

Name: Site Visit Subcommittees of the Advisory Committee for Science and Technology Centers Development.

Date	Place	Time
3/19/90	University of Minnesota, Minneapolis, MN.....	8:30-5
3/19/90	Carnegie-Mellon University, Pittsburgh, PA.....	8:30-5
3/21/90	State University of New York, Stony Brook, NY.....	8:30-5

Date	Place	Time
3/22/90	University of Pennsylvania, Philadelphia, PA.....	8:30-5
3/29/90	Rensselaer Polytechnic Inst., Troy, NY.....	8:30-5
3/29/90	Johns Hopkins University, Baltimore, MD.....	8:30-5
4/2/90	Stanford University, Stanford, CA.....	8:30-5
4/2/90	Massachusetts Inst. of Tech., Cambridge, MA.....	8:30-5
4/3/90	University of California/Davis, Davis, CA.....	8:30-5
4/3/90	Kent State University, Kent, OH.....	8:30-5
4/4/90	University of Southern Calif., Los Angeles, CA.....	8:30-5
4/5/90	Massachusetts Inst. of Tech., Cambridge, MA.....	8:30-5
4/10/90	University of Texas/Austin, Austin, TX.....	8:30-5
4/10/90	University of Massachusetts, Amherst, MA.....	8:30-5
4/11/90	University of Maryland, College Park, MD.....	8:30-5
4/12/90	University of Virginia, Charlottesville, VA.....	8:30-5
4/17/90	University of N.C., Chapel Hill, NC.....	8:30-5
4/17/90	Colorado State University, Fort Collins, CO.....	8:30-5
4/17/90	University of Massachusetts, Amherst, MA.....	8:30-5
4/18/90	University of California, San Diego, CA.....	8:30-5
4/19/90	University of Minnesota, Minneapolis, MN.....	8:30-5
4/19/90	Princeton University, Princeton, NJ.....	8:30-5
4/23/90	Carnegie-Mellon University, Pittsburgh, PA.....	8:30-5
4/23/90	University of Illinois, Urbana, IL.....	8:30-5
4/24/90	University of Chicago, Yerkes Observatory, Williams Bay, WI.....	8:30-5
4/25/90	University of Michigan, Ann Arbor, MI.....	8:30-5
4/26/90	University of Chicago, Chicago, IL.....	8:30-5
4/30/90	University of Colorado, Boulder, CO.....	8:30-5
4/30/90	University of Florida, Gainesville, FL.....	8:30-5
5/1/90	University of Arizona, Tucson, AZ.....	8:30-5

Type of Meeting: Closed.

Contact: Dr. William C. Harris, Director, Office of Science and Technology Centers Development, Room 533, National Science Foundation, Washington, DC 20550, Telephone: 202/357-9808.

Purpose of Meeting: To provide advice and recommendations concerning support for Science and Technology Research Centers.

Agenda: Review and evaluation of Science & Technology Centers proposals as part of the selection process of awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and

personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c). Government in the Sunshine Act.

Dated: February 23, 1990.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-4526 Filed 2-27-90; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-324]

Carolina Power & Light Co.; Withdrawal of Application for Amendment to Facility Operating License; Brunswick Steam Electric Plant, Unit 2

The United States Nuclear Regulatory Commission (the Commission) has granted the January 11, 1990 request of Carolina Power & Light Company (the licensee) to withdraw their application for amendment dated June 14, 1989, as supplemented August 21, 1989, November 3, 1989 and November 27, 1989, for the Brunswick Steam Electric Plant, Unit 2 (Brunswick) located in Brunswick County, North Carolina. The proposed amendment was for a one-time waiver on performing a Type A containment integrated leak rate test during the current refueling outage.

The Commission issued a Notice of Consideration of Issuance of Amendment in the Federal Register on October 6, 1989 (54 FR 41356). By letter dated January 11, 1990, the licensee withdrew their application for the proposed amendment. The basis for withdrawal of the application was the licensee's determination that the containment integrated leak rate test should be conducted during this refueling outage.

A similar request for an exemption to 10 CFR part 50, appendix J, was also withdrawn by the January 11, 1990 letter.

For further details with respect to this action see the application dated June 14, 1989, as supplemented August 21, 1989, November 3, 1989 and November 27, 1989, and the licensee's letter of withdrawal dated January 11, 1990. The above are available for public inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC and at the University of North Carolina at Wilmington, William Madison Randall, Library, 601, S. College Road, Wilmington, North Carolina.

For the Nuclear Regulatory Commission.
E.G. Tourigny,

Acting Director, Project Directorate II-1,
Division of Reactor Projects I/II, Office of
Nuclear Reactor Regulation.

[FR Doc. 90-4536 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-54 and 70-687; License
Nos. R-81; SNM-639; EA 90-033]

Cintichem, Inc.; Order Modifying License Effective Immediately

I

Cintichem, Incorporated (the "Licensee") is the holder of License Nos. R-81 and SNM-639. License No. R-81 and License No. SNM-639 authorize the Licensee to produce and process radioisotopes. License No. R-81 was issued by the Nuclear Regulatory Commission (the "Commission" or "NRC") on September 7, 1961, was most recently amended on March 14, 1989, and is due to expire on June 30, 2000. License No. SNM-639 was most recently renewed by the NRC on October 19, 1984, was most recently amended on May 17, 1989, and is currently under timely renewal. Other activities involving radioactive byproduct material are conducted at this site under the authority of the State of New York.

II

On February 9, 1990, the Licensee reported to the NRC Region I office the identification of an unmonitored release of radioactive contaminated water from the facility's reactor building to an onsite retention pond.

The rapid and unexpected buildup of radioactivity in the retention pond, combined with the increase in the pond level due to rainfall the night of February 9 and the morning of February 10, indicates a significant potential for radioactive releases in excess of regulatory limits. An NRC inspection team was dispatched to the facility, and arrived at the facility on the evening of February 9, 1990. Subsequently, the team was informed that the uncontrolled release of radioactivity to the pond apparently resulted from a failure of part of the concrete wall of the gamma pit. (The gamma pit is a water-filled pool which is used for the temporary storage of radioactive material.)

Subsequently, on February 12, the Licensee informed the NRC inspection team that another concrete vessel on site, namely, the holdup tank (which is located in the reactor building and which is used to allow the decay of short-lived isotopes in the reactor

coolant), also apparently had developed a leak.

The foregoing relates to matters subject to the NRC's jurisdiction.

III

The current identification, within a very short time period, of the failure of two concrete vessels, resulting in the uncontrolled release of radioactively contaminated water to the site environs, demonstrates that the Licensee cannot presently provide reasonable assurance that continued operation under its licenses will be in compliance with Commission requirements. Therefore, continued operation of the facility without additional action is inconsistent with the Commission's requirements.

In view of the potential risks to the public from uncontrolled releases of radioactively contaminated materials from the facility, I have determined, pursuant to 10 CFR 2.204, that public health, safety and interest requires that this Order be made immediately effective.

IV

Accordingly, pursuant to sections 57, 104, 161b., 161c., 161i., and 161o., 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR parts 50 and 70, *It is Hereby Ordered*, That License Nos. R-81 and SNM-639 are modified, effectively immediately, as follows:

A. The reactor remain shut down until such time as the Licensee:

1. Submits to the NRC, for its renewal and approval, a plan to:

a. Promptly identify, by inspection, existing locations of leaks of radioactively contaminated material from the facility;

b. Promptly repair all existing leaks, and assure their effectiveness;

c. Establish and implement a monitoring program to assure the prompt identification of future leaks of radioactively contaminated material from the facility;

2. Implement the plan; and

3. Notify the NRC, in writing under oath or affirmation, that the plan has been completed, and the Regional Administrator, Region I, authorizes restart of the reactor.

B. Following authorization for restart pursuant to paragraph A.3 above, the Licensee shall implement the monitoring program approved pursuant to paragraph A.1.c.

C. Within 90 days of the date of this Order, the Licensee shall submit to the Regional Administrator, Region I, for

review and approval, a detailed plan for identification of the root causes of the undetected and uncontrolled leaks of radioactive material, as well as any structural deterioration of the structures, systems, and components. The plan shall include a schedule with appropriate milestones.

D. Upon completion of the plan set forth in section IV.C, a report shall be submitted to the Regional Administrator, Region I, which describes the results obtained, and corrective actions taken or planned (with milestones) to address the identified problems.

The Regional Director, Region I may in writing relax or terminate all portions of the Order for good cause shown.

V

The Licensee, or any person who is adversely affected by this Order, may request a hearing within 30 days of the date of this Order. A request for hearing should be clearly marked as a "Request for Hearing" and shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Docketing and Service Section. Copies of the hearing request also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, and to the Regional Administrator, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d). In the absence of any request for a hearing within the specified time, this Order shall be final without further Order or proceedings. A request for hearing shall not stay the immediate effectiveness of this order.

If a hearing is requested, by the Licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Dated at Rockville, Maryland this 13th day of February 1990.

For the Nuclear Regulatory Commission.

Hugh L. Thompson, Jr.,

Deputy Executive Director for Nuclear Materials Safety, Safeguards, and Operations Support.

[FR Doc. 90-4537 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-440]

The Cleveland Electric Illuminating Co., et al.; Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-58, issued to The Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and Toledo Edison Company (the licensees), for operation of the Perry Nuclear Power Plant, Unit No. 1 located in Lake County, Ohio.

The amendment would remove the Reactor Core Isolation Cooling (RCIC) equipment room high differential temperature (delta T) trip function from Technical Specification Table 3.3.2-1, "Isolation Actuation Instrumentation," of the Perry Nuclear Power Plant, Unit No. 1. The licensees submitted the request for amendment by application dated January 19, 1990.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By March 30, 1990, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC 20555 and at the Local Public Document Room located at Perry Public Library, 3753 Main Street, Perry, Ohio 44081. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to

intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 2120 L Street NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John N. Hannon: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Jay Silberg, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street NW., Washington, DC 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its intent to make a no significant hazards consideration finding in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated January 19, 1990, which is available for public inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555, and at the local public document room, Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

Dated at Rockville, Maryland, this 21st day of February 1990.

For the Nuclear Regulatory Commission.

John N. Hannon,

Director, Project Directorate III-3, Division of Reactor Projects—III, IV, V and Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 90-4533 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 40-2061-ML]

Kerr-McGee Chemical Corp. (West Chicago Rare Earths Facility); Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this license amendment proceeding:

Thomas S. Moore, Chairman, Christine N. Kohl, Howard A. Wilber.

Dated: February 22, 1990.

Barbara A. Tompkins,

Secretary to the Appeal Board.

[FR Doc. 90-4532 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-423]

Northeast Nuclear Energy Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 46 to Facility Operating License No. NPF-49 issued to Northeast Nuclear Energy Company (the licensee), which revised the Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 3 located in New London County, Connecticut. The amendment is effective as of the date of issuance.

The amendment changes the Millstone Unit 3 Technical Specifications (TS) as follows: (1) TS 4.2.2.2.2 is changed to revise the F_{xy} formula for three-loop operation, (2) TS 3/4.7.1.5 requires that main steam isolation valves (MSIVs) be OPERABLE in Mode 4; in addition, the action statement and surveillance requirements are revised based upon a recommendation by Westinghouse which allows an MSIV closure time of 120 seconds for Mode 4, and (3) TS Tables 3.3-6, 3.3-10, 4.3-3, and 4.3-7 are changed to eliminate the inconsistency between the tables, represent the actual function of containment purge exhaust

area radiation monitors RE41 and 42 (fuel drop monitors), and avoid any unnecessary shutdown should RE41 or 42 become inoperable.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the **Federal Register** on November 17, 1989 (54 FR 47845). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of this amendment will not have a significant effect on the quality of the human environment.

For further details with respect to the action see (1) the application for amendment dated July 20, 1989, and supplemented October 16, 1989, (2) Amendment No. 46 to License No. NPF-49, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these items are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC and at the Waterford Public Library, 49 Rope Ferry Road, Waterford, Connecticut 06385. A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects - I/II.

Dated at Rockville, Maryland this 21st day of February 1990.

For the Nuclear Regulatory Commission.

David H. Jaffe,

Project Manager, Project Directorate I-4 Division of Reactor Projects—I/II Office of Nuclear Reactor Regulation.

[FR Doc. 90-4534 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

Union Electric Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory

Commission (the Commission) has issued Amendment No. 51 to Facility Operating License No. NPF-30, issued to Union Electric Company (the licensee) which revised the Technical Specifications for operation of the Callaway Plant, Unit 1, located in Callaway County, Missouri. The amendment was effective as of the date of its issuance.

The amendment revised the technical specifications to allow continued operation for 72 hours for diagnosis and repair, with one or more control rod assemblies inoperable due to a rod control urgent failure alarm or other electrical problem in the rod control system provided all affected control rods remain trippable.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR chapter 1, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opportunity for Prior Hearings in connection with this action was published in the *Federal Register* on September 18, 1989 (54 FR 38469). No request for a hearing or petition for leave to intervene was filed following this notice.

For further details with respect to this action, see (1) the application for amendment dated August 2, 1989, as supplemental by letter dated December 28, 1989, (2) Amendment No. 51 to Facility Operating License No. NPF-30; (3) the Commission's related Safety Evaluation dated February 22, 1990; and (4) the Environment Assessment dated February 9, 1990. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC, and at the Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251 and the John M. Olin Library, Washington University, Skinker and Lindell Boulevards, St. Louis, Missouri 63130. A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Reactor Projects.

Dated at Rockville, Maryland this 22nd day of February 1990.

For the Nuclear Regulatory Commission.
S.V. Athavale,

*Project Manager, Project Directorate III-3,
Division of Reactor Projects III, IV, V and
Special Projects Office of Nuclear Reactor
Regulation.*

[FR Doc. 90-4535 Filed 2-27-90; 8:45 am]

BILLING CODE 7590-01-M

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Meeting

Pursuant to their authority under Section 5051 of Public Law 100-203, the Nuclear Waste Policy Amendments Act of 1987, the Risk and Performance Analysis and Structural Geology and Geoengineering Panels of the Nuclear Waste Technical Review Board (NWTB) will hold a joint meeting on March 19-20, 1990. Panel members will be briefed by the U.S. Department of Energy (DOE) on its strategy and basis for developing the design requirements and conceptual design to be used in building the nation's first repository for the permanent disposal of high-level radioactive waste. Also, the DOE will brief panel members on the design requirements and conceptual design of the waste package that will be used to dispose of the waste at the repository. At the request of Congress, the DOE is presently studying the feasibility of locating a permanent repository at the proposed Yucca Mountain Site in Nevada.

Members of the Board will hear from the DOE on performance objectives and design criteria, which are spelled out in federal regulation, for various aspects of the repository and waste package. The DOE will also brief the Board on physical characteristics and boundaries of the proposed site that would impact on the design of a repository. The DOE will outline its proposal for defining and gathering information pertinent to designing a repository and waste package.

The meeting will take place at the Hyatt Regency Downtown, 1750 Welton Street, Denver, Colorado, (303) 295-1200. It will run from 8:30 a.m.-5 p.m. on March 19, 1990 and from 8:30 a.m.-5 p.m. on March 20, 1990.

The public is welcome to attend the meeting as observers. The meeting will be transcribed and starting the week of April 16, 1990, the transcripts will be loaned for two weeks on a first-come, first-serve basis from the Nuclear Waste Technical Review Board.

For further information, contact: Paula N. Alford, Director, External Affairs,

1111 18th Street NW., Suite 801,
Washington, DC 20036. (202) 254-4792.

Dated: February 22, 1990.

William W. Coons,
*Executive Director, Nuclear Waste Technical
Review Board.*

[FR Doc. 90-4457 Filed 2-27-90; 8:45 am]

BILLING CODE 6820-AM-M

RAILROAD RETIREMENT BOARD

Revised Determination of 1990 Monthly Compensation Base and Other Determinations

AGENCY: Railroad Retirement Board.

ACTION: Notice of correction of 1990 monthly compensation base and other determinations.

SUMMARY: Pursuant to section 12(r)(3) of the Railroad Unemployment Insurance Act (Act)(45 U.S.C. 362(r)(3)), the Board gives notice of the following: 1. The monthly compensation base under section 1(i) of the Act is \$745 for months in calendar year 1990; 2. The amount described in section 1(k) of the Act as "2.5 times the monthly compensation base" is \$1,862.50 for base year (calendar year) 1990; 3. The amount described in section 2(c) of the Act as "an amount that bears the same ratio to \$775 as the monthly compensation base for that year as computed under section 1(i) of this Act bears to \$600" is \$962 for months in calendar year 1990; 4. The amount described in section 3 of the Act as "2.5 times the monthly compensation base" is \$1,862.50 for base year (calendar year) 1990; 5. The amount described in section 4(a-2)(i)(A) of the Act as "2.5 times the monthly compensation base" is \$1,862.50 with respect to disqualifications ending in calendar year 1990; 6. The maximum daily benefit rate under section 2(a)(3) of the Act is \$31 with respect to days of unemployment and days of sickness in registration periods beginning after June 30, 1990.

As result of section 10208 of Public Law 101-239, the 1990 tier I tax base has been revised from \$50,400 to \$51,300. This notice corrects the 1990 monthly compensation base and all other determinations under the Act which are based on the tier I tax base. This notice supercedes the original notice which was previously published in the *Federal Register* on November 22, 1989 (54 FR 48342).

DATES: The determinations made in notices (1) through (5) are effective January 1, 1990. The determination made in notice (6) is effective for registration periods beginning after June 30, 1990.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Mary R. Bartik, Bureau of Research and Employment Accounts, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, telephone (312) 751-4786, (FTS) 386-4786.

SUPPLEMENTARY INFORMATION: The Board is required by section 12(r)(3) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 362(r)(3)) as amended by Public Law 100-647, to publish by December 11, 1989, the computation of the calendar year 1990 monthly compensation base (section 1(i) of the Act) and amounts described in sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act which are related to changes in the monthly compensation base. Also, the Board is required to publish by June 11, 1990, the maximum daily benefit rate under section 2(a)(3) of the Act for days of unemployment and days of sickness in registration periods beginning after June 30, 1990.

Monthly Compensation Base

For years after 1988, section 1(i) of the Act contains a formula for determining the monthly compensation base. Under the prescribed formula, the monthly compensation base increases by approximately two-thirds of the growth in average national wages. The monthly compensation base for months in calendar year 1990 shall be equal to the greater of (a) \$600 and (b) $\$600 [1 + ((A - 37,800)/56,700)]$, where A equals the amount of the applicable base with respect to tier 1 taxes for 1990 under section 3231(e)(2) of the Internal Revenue Code of 1986. Section 1(i) further provides that if the amount so determined is not a multiple of \$5, it shall be rounded to the nearest multiple of \$5.

The calendar year 1990 tier 1 tax base is \$51,300. Subtracting \$37,800 from \$51,300 produces \$13,500. Dividing \$13,500 by \$56,700 yields a ratio of 0.23809524. Adding one gives 1.23809524. Multiplying \$600 by the amount 1.23809524 produces the amount of \$742.86, which must then be rounded to \$745. Accordingly, the monthly compensation base is determined to be \$745 for months in calendar year 1990.

Amounts Related to Changes in Monthly Compensation Base

For years after 1988, sections 1(k), 2(c), 3 and 4(a-2)(i)(A) of the Act contain formulas for determining amounts related to the monthly compensation base.

Under section 1(k), remuneration earned from employment covered under the Act cannot be considered subsidiary remuneration if the employee's base year compensation is less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 1990 monthly compensation base of \$745 produces \$1,862.50. Accordingly, the amount determined under section 1(k) is \$1,862.50 for calendar year 1990.

Under section 2(c), the maximum amount of normal benefits paid for days of unemployment within a benefit year and the maximum amount of normal benefits paid for days of sickness within a benefit year shall not exceed an employee's compensation in the base year. In determining an employee's base year compensation, any money remuneration in a month not in excess of an amount that bears the same ratio to \$775 as the monthly compensation base for that year bears to \$600 shall be taken into account.

The calendar year 1990 monthly compensation base is \$745. The ratio of \$745 to \$600 is 1.2417. Multiplying 1.2417 by \$775 produces \$962. Accordingly, the amount determined under section 2(c) is \$962 for months in calendar year 1990.

Under section 3, an employee shall be a "qualified employee" if his base year compensation is not less than 2.5 times the monthly compensation base for months in such base year. Multiplying 2.5 by the calendar year 1990 monthly compensation base of \$745 produces \$1,862.50. Accordingly, the amount determined under section 3 is \$1,862.50 for calendar year 1990.

Under section 4(a-2)(i)(A), an employee who leaves work voluntarily without good cause is disqualified from receiving unemployment benefits until he has been paid compensation of not less than 2.5 times the monthly compensation base for months in the calendar year in which the disqualification ends. Multiplying 2.5 by the calendar year 1990 monthly compensation base of \$745 produces \$1,862.50. Accordingly, the amount determined under section 4(a-2)(i)(A) is \$1,862.50 for calendar year 1990.

Maximum Daily Benefit Rate

Section 2(a)(3) contains a formula for determining the maximum daily benefit rate for registration periods beginning after June 30, 1989, and after each June 30 thereafter. Under the prescribed formula, the maximum daily benefit rate increases by approximately two-thirds of the growth in average national wages. The maximum daily benefit rate for registration periods beginning after June 30, 1990, shall be equal to the greater of

(a) \$30 and (b) $\$25 [1 + ((A - 600)/900)]$, where A equals the applicable base with respect to tier 1 taxes under section 3231(e)(2) of the Internal Revenue Code of 1986 divided by 60, with the quotient rounded down to the nearest multiple of \$100. Section 2(a)(3) further provides that if the amount so computed is not a multiple of \$1, it shall be rounded to the nearest multiple of \$1.

The calendar year 1990 tier 1 base is \$51,300. Dividing \$51,300 by 60 yields \$855. This amount is rounded down to \$800, the nearest multiple of \$100. Subtracting \$600 from \$800 produces \$200. The ratio of \$200 to \$900 is 0.22222222. Adding 1 produces 1.22222222. Multiplying \$25 by 1.22222222 produces \$30.56, which must then be rounded to \$31. Accordingly, the maximum daily benefit rate for days of unemployment and days of sickness beginning in registration periods after June 30, 1990, is determined to be \$31.

Dated: February 20, 1990.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 90-4495 Filed 2-27-90; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

ASAC Corp.; Order of Suspension of Trading

February 23, 1990.

It appears to the Securities and Exchange Commission that there is a lack of adequate and accurate current information concerning the securities of ASAC Corporation ("ASAC") and that questions have been raised about recent market activity in the securities of ASAC, and the adequacy and accuracy of the publicly disseminated information concerning, among other things, the identities of the shareholders of ASAC and the beneficial ownership and control of the company's shares. The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed company.

Therefore, it is ordered, pursuant to section 12(k) of the Securities and Exchange Act of 1934, that trading in the above-listed company, over-the-counter or otherwise, is suspended for the period from 9:30 a.m. e.s.t., February 23, 1990 through 11:59 p.m. e.s.t., on March 4, 1990.

By the Commission.
Jonathan G. Katz,
Secretary.
[FR Doc. 90-4572 Filed 2-27-90; 8:45 am]
BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

President's Commission on Aviation Security and Terrorism; Public Hearing

AGENCY: Office of the Secretary, DOT.
ACTION: Amendment to notice of public hearing of the President's Commission on Aviation Security and Terrorism.

SUMMARY: The Commission wishes to clarify the purpose of its fourth public hearing, notice of which has already been published (February 22, 1990; 55 FR 6332). To that hearing, it has invited Representative Dante B. Fascell, Chairman, Committee on Foreign Affairs, House of Representatives. It has also invited officials of the Department of State to discuss a public notification of threat information. The public is invited to attend.

DATES: The public hearing will be held on Friday, March 9, 1990, 10 a.m., e.t. Prepared statements of invited witnesses must be received no later than Friday, March 2, 1990.

ADDRESSES: The public hearing will be held at the Reserve Officers Association, Fifth Floor, One Constitution Avenue, NE., Washington, DC. Persons wishing to submit information to the Commission should use the address immediately below.

FOR FURTHER INFORMATION CONTACT: Harry R. Van Cleve, President's Commission on Aviation Security and Terrorism, 1825 K Street NW., Suite 519, Washington, DC 20036; telephone (202) 454-3166; FAX (202) 254-3359.

Issued in Washington, DC on February 23, 1990.

Harry R. Van Cleve,
Commission General Counsel.

[FR Doc. 90-4599 Filed 2-23-90; 4:14 pm]

BILLING CODE 4910-62-M

Federal Aviation Administration

Noise Exposure Map, Fresno Air Terminal, Fresno, CA

AGENCY: Federal Aviation Administration, DOT.
ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure

maps submitted by the City of Fresno for Fresno Air Terminal under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps is February 7, 1990.

FOR FURTHER INFORMATION CONTACT: David L. Cross, Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303, Telephone (415) 876-2779.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Fresno Air Terminal are in compliance with applicable requirements of part 150 effective February 7, 1990.

Under section 103 of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the City of Fresno. The specific maps under consideration are Figures II-4, "Current Conditions (1986) Noise Exposure Map" and II-5, "Future Base Conditions (1991) Noise Exposure Map" in the submission. The FAA has determined that these maps for Fresno Air Terminal are in compliance with applicable requirements. This determination is effective on February 7, 1990. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in

accordance with the procedures contained in Appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the maps depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue SW., Room 617, Washington, DC 20591
Federal Aviation Administration Western-Pacific Region, Airports Division, AWP-600, 15000 Aviation Boulevard, Room 6E25, Hawthorne, California 90261
Federal Aviation Administration San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303
Mr. Ralph G. Tonseth, Director of Airports, City of Fresno, 2401 North Ashley Way, Fresno, California 93727-1504.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Issued in Hawthorne, California on February 7, 1990.

James J. Wiggins,

Acting Manager, Airports Division

[FR Doc. 90-4490 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

**Federal Aviation Administration;
Acceptance of Noise Exposure Maps
for General Lyman Field, Hilo, HI**

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the State of Hawaii, Department of Transportation for General Lyman Field under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements.

EFFECTIVE DATES: The effective date of the FAA's determination on the noise exposure maps is February 6, 1990.

FOR FURTHER INFORMATION CONTACT:

Henry Sumida, Manager, Airports District Office, HNL-600, Federal Aviation Administration, Honolulu Airports District Office, P.O. Box 50344, Honolulu, Hawaii 96850-0001, Telephone 808/541-1232.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for General Lyman Field are in compliance with applicable requirements of part 150, effective February 6, 1990.

Under section 103 of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures

the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the State of Hawaii, Department of Transportation. The specific maps under consideration are Figure 4-1 and Figure 8-1 in the submission. The FAA has determined that these maps for General Lyman Field are in compliance with applicable requirements. This determination is effective on February 6, 1990. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., Room 617, Washington, D.C. 20591

Federal Aviation Administration, Western-Pacific Region, Airports Division, Room 6E25, 15000 Aviation Boulevard, Hawthorne, California 90261
State of Hawaii, Department of Transportation, Airports Division, Honolulu International Airport, Gate 31, Honolulu, Hawaii 96819

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Hawthorne, California on February 6, 1990.

Herman C. Bliss,

Manager, Airports Division, AWP-600.

[FR Doc. 90-4491 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

**Acceptance of Noise Exposure Maps
for North Las Vegas Air Terminal,
North Las Vegas, NV**

AGENCY: Federal Aviation
Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by the Clark County Department of Aviation for North Las Vegas Air Terminal under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps is February 6, 1990.

FOR FURTHER INFORMATION CONTACT:

David L. Cross, Airport Planner, Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303, Telephone 415/876-2779.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for North Las Vegas Air Terminal are in compliance with applicable requirements of part 150, effective February 6, 1990.

Under section 103 of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed

in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by the Clark County Department of Aviation. The specific maps under consideration are Exhibit "P"—"Noise Exposure Map: 1986/87" and Exhibit "R"—"Preliminary Noise Exposure Map: 1992 with Generalized Planned Land Use" in the submission. The FAA has determined that these maps for North Las Vegas Air Terminal are in compliance with applicable requirements. This determination is effective on February 6, 1990. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with

those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., Room 617, Washington, DC 20591
Federal Aviation Administration, Western-Pacific Region, Airports Division, Room 6E25, 1500 Aviation Boulevard, Hawthorne, California 90261
Federal Aviation Administration, San Francisco Airports District Office, 831 Mitten Road, Burlingame, California 94010-1303
Clark County Department of Aviation, 5757 Wayne Newton Boulevard, Las Vegas, Nevada 89111

Questions may be directed to the individual named above under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Hawthorne, California on February 6, 1990.

Herman C. Bliss,

Manager, Airports Division, AWP-600.

[FR Doc. 90-4492 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

February 22, 1990.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515-0133.

Form Number: None.

Type of Review: Extension.

Title: Application to Receive Free Materials in a Bonded Manufacturing Warehouse.

Description: The proprietor of a bonded manufacturing warehouse must make application to the district director to enter into that warehouse any domestic merchandise, except merchandise which is subject to IRS tax, which is to be used in conjunction with the manufacture of articles permitted to be manufactured.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents: 8.

Estimated Burden Hours Per

Response: 30 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 3,000 hours.

Clearance Officer: Dennis Dore, (202) 535-9267, U.S. Customs Service, Paperwork Management Branch, room 6316, 1301 Constitution Avenue NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf, (202) 295-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 90-4466 Filed 2-27-90; 8:45 am]

BILLING CODE 4820-02-M

Fiscal Service

Bureau of the Public Debt; Treasury Securities Eligible for Conversion to the Treasury Direct Book-Entry Securities System

AGENCY: Bureau of the Public Debt, Fiscal Service, Department of the Treasury.

ACTION: Notice pursuant to 31 CFR 306.23.

SUMMARY: Notice is hereby given that, effective February 28, 1990, all outstanding, unmatured U.S. Treasury bonds and notes, issued in certificated form, will, regardless of maturity date, be accepted for conversion to the TREASURY DIRECT Book-entry Securities System, established under 31 CFR part 357. This revises a previous notice providing for conversion of Treasury bonds and notes of the above description, with maturity dates of December 31, 1990, or later.

EFFECTIVE DATE: February 28, 1990.

FOR FURTHER INFORMATION CONTACT: Margaret Marquette, Attorney-Advisor, Office of the Chief Counsel, Bureau of the Public Debt (202) 447-9859.

SUPPLEMENTARY INFORMATION: In July 1986, the Department of the Treasury began offering all of its marketable securities exclusively in book-entry

form. Under a system known as the TREASURY DIRECT Book-entry Securities System (TREASURY DIRECT), securities can be maintained in the form of computerized records, rather than as engraved certificates. This system provides numerous benefits to investors, including the convenience and safety of a direct deposit payment system for interest and redemption payments, a single master account for all securities of the same registration, and the elimination of paper securities which could become lost or destroyed.

Department of the Treasury Circular No. 300, Fourth Revision (31 CFR part 306), authorizes the Secretary of the Treasury to publish a notice in the Federal Register describing the series of securities, issued before August 1, 1986, eligible for conversion to TREASURY DIRECT. A notice, published on June 13, 1988, at 53 FR 22066, provided that all Treasury bonds and notes with maturity dates occurring on or after December 31, 1990, would be accepted for conversion to TREASURY DIRECT. The present notice revises the earlier notice by

eliminating the December 31, 1990, date, and by providing that any unmatured, marketable Treasury security, issued in certificated form, of any maturity date, may be presented for such conversion.

Securities, with properly executed requests, and supporting documentation, as appropriate, may be submitted to any Federal Reserve Bank or Branch, or to the Bureau of the Public Debt.

Richard L. Gregg,

Commissioner of the Public Debt.

[FR Doc. 90-4586 Filed 2-27-90; 8:45 am]

BILLING CODE 4810-35-M

Sunshine Act Meetings

Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONSUMER PRODUCT SAFETY COMMISSION

Meeting Agenda

TIME AND DATE: Commission Meeting, Friday, February 23, 1990, 10:30 a.m.

LOCATION: Room 440, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Closed to the Public.

MATTERS TO BE CONSIDERED: Enforcement Matter OS# 5656.

The staff will brief the Commission on issues related to enforcement matter OS# 5656.

The Commission by unanimous vote decided that agency business required holding this meeting without the usual seven days advance notice.

FOR A RECORDED MESSAGE CONTAINING THE LATEST AGENDA INFORMATION, CALL: 301-492-5709

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 301-492-6800.

Dated: February 22, 1990.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 90-4699 Filed 2-26-90; 12:59 pm]

BILLING CODE 6355-01-M

Sunshine Act Meetings

The Sunshine Act meetings are held on a regular basis to provide an opportunity for the public to comment on the proposed rules and regulations of the Department of Health and Human Services.

The first meeting was held on October 1, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The second meeting was held on October 15, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The third meeting was held on October 29, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The fourth meeting was held on November 12, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The fifth meeting was held on November 26, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The sixth meeting was held on December 10, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The seventh meeting was held on December 24, 1996, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The eighth meeting was held on January 7, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The ninth meeting was held on January 21, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The tenth meeting was held on February 4, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The eleventh meeting was held on February 18, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twelfth meeting was held on March 4, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The thirteenth meeting was held on March 18, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The fourteenth meeting was held on April 1, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The fifteenth meeting was held on April 15, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The sixteenth meeting was held on April 29, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The seventeenth meeting was held on May 13, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The eighteenth meeting was held on May 27, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The nineteenth meeting was held on June 10, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twentieth meeting was held on June 24, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-first meeting was held on July 8, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-second meeting was held on July 22, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-third meeting was held on August 5, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-fourth meeting was held on August 19, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-fifth meeting was held on September 2, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-sixth meeting was held on September 16, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-seventh meeting was held on September 30, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

The twenty-eighth meeting was held on October 14, 1997, at the Department of Health and Human Services, Room 3B-101, 400 Independence Avenue, S.W., Washington, D.C. 20492.

Department of Labor

Wednesday
February 28, 1990

Part II

Department of Labor

Office of the Secretary

Privacy Act of 1974; Republication of Notice of Systems of Records

DEPARTMENT OF LABOR

Office of the Secretary

Privacy Act of 1974; Republication of Notice of Systems of Records

AGENCY: Office of the Secretary, Labor.

ACTION: Republication of systems of records.

SUMMARY: This document republishes in full this agency's systems of records maintained under the Privacy Act of 1974. This notice will update our last publication in full which appeared in the *Federal Register* on July 13, 1982 at 47 FR 30362 and which has been updated on six occasions since that time. This notice will add new systems which are being published for the first time; amend other systems previously published; and will delete certain systems.

DATES: Persons wishing to comment on newly published systems may do so by April 16, 1990.

EFFECTIVE DATE: Unless otherwise noticed in the *Federal Register*, this notice shall become final on April 30, 1990.

ADDRESSES: Seth D. Zinman, Associate Solicitor, Office of the Solicitor, Division of Legislation and Legal Counsel, U.S. Department of Labor, room N-2428, 200 Constitution Avenue, NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Miriam McD. Miller, Co-Counsel for Administrative Law, Office of the Solicitor, Department of Labor, 200 Constitution Avenue, NW., room N-2428, Washington, DC 20210; Telephone (202) 523-8188.

SUPPLEMENTARY INFORMATION: Pursuant to section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(4)), the Department hereby publishes an updated notice of its systems of records currently maintained pursuant to the Privacy Act of 1974. The last publication in full appeared in the *Federal Register* on July 13, 1982 at 47 FR 30362. That notice has been updated on six occasions by various amendments which appeared on the following dates:

1. February 8, 1983 at 48 FR 5824;
2. December 4, 1984 at 49 FR 47441;
3. February 6, 1985 at 50 FR 5140; 50 FR 5141; and 50 FR 5143 (three documents);
4. October 25, 1985 at 50 FR 43473;
5. May 27, 1986 at 51 FR 19092; and
6. September 12, 1986 at 51 FR 32546.

This notice republishes the Department's systems: we delete 27 systems; publish 37 new systems; and amend 42 systems.

All systems have been rewritten to reflect the *Federal Register* requirements for publication including the addition of four data elements which were not previously present in all systems:

- (1) Security classification;
- (2) Purpose(s);
- (3) Disclosure to consumer reporting agencies;
- (4) Systems exempted from certain provisions of the act.

In addition, corrections have been made to all systems published herein to reflect such changes as assorted typographical errors, organizational name changes, inadvertent omissions, and so forth.

The following is a listing of the significant additions, changes, and deletions to the various departmental systems of records.

Office of the Secretary (OSECY)

DOL/OSEC-1

"Supervisors' Records of Employees" is changed to include reports of FTS telephone usage containing call detail information.

DOL/OSEC-2

"Employee Conduct Investigations" is cancelled as a Department-wide system of records. Any DOL component agency that maintains records under this system will publish as an agency system.

DOL/OSEC-3

"Employee Locator System" is eliminated. This system is no longer maintained.

DOL/OSEC-4

"Credit Data on Individual Debtors." The new routine use provides for the disclosure of name, address, and other debtor identifying information to consumer reporting agencies for the purpose of receiving credit reports. This system of records is also being amended to reflect system location office title changes, add a system security classification, and clarify notification and record access procedures.

Office of the Assistant Secretary for Administration and Management (OASAM)

DOL/OASAM-2

"Employee Locator Card File." This system is no longer maintained because the records are no longer maintained separately from the Official Personnel Folder.

DOL/OASAM-4

"Occupational Accident/Injury Reporting (AIRS) File." The system location has been broadened to include

the regional offices and the office of the supervisor filing the report; categories of records in the system have been corrected to delete and add additional data elements; the authority citation has been supplemented and updated; and purpose section has been added; the systems manager's address and the record source categories have been corrected.

DOL/OASAM-5

"Rehabilitation and Counseling File." Amended with regard to location of the system, categories of individuals and records in the system, authority, citation, purpose, retention and disposal regulations, record source categories, and expansion of the routine uses.

Under the DOL drug testing program, all test results for DOL employees shall be retained and filed in OPM/GOVT 10, "Employee Medical File System Records." All test results for outside applicants shall be retained in OPM/GOVT 5, "Recruiting, Examining, Placement Records."

DOL/OASAM-6

"Executive Assignment System/Senior Executive Service File." This system has been deleted. The OPM system OPM/GOVT-1 includes the same records and has broader routine uses.

DOL/OASAM-7

"Employee Medical Records." Amended with regard to location of the system, categories of individuals and records in the system, authority citation, purpose, retention and disposal regulations, record source categories, and expansion of the routine uses.

Under the DOL drug testing program, all test results for DOL employees shall be retained and filed in OPM/GOVT 10, "Employee Medical File System Records." All test results for outside applicants shall be retained in OPM/GOVT 5, "Recruiting, Examining, Placement Records."

DOL/OASAM-10

"Act Program Counseling and Evaluation Files." This system is deleted. The records no longer exist.

DOL/OASAM-11

"DOL Training Records." This system has been expanded to include additional office locations.

DOL/OASAM-12

"Employee Relations Files." All portions of this system have been deleted except grievance under 5 CFR part 771. Revisions to this system

include record source categories: Individuals, interviews with individuals or other persons, other agency officials, investigative and employment records. Also, the system location has been broadened to include additional offices.

The deleted portions of this system are covered by the following government-wide systems:

OPM/GOVT-2
OPM/GOVT-3
OPM/GOVT-5
MSPB/GOVT-1

DOL/OASAM-13

"Performance Requirement and Evaluation Files." The OPM/GOVT-2 system includes the same records and has broader routine uses. Rewritten to be in accord with OPM/GOVT-2.

DOL/OASAM-15

"Travel Authorization and Voucher System." Amended to include travel arrangement services and government contractor issued charge cards; system locations have been added.

DOL/OASAM-16

"Individual Career Plan Forms on Senior Executive Service Incumbents and Candidates Development Program Participants." This system has been deleted. The OPM/GOVT-1 system includes the same records and has broader routine uses.

DOL/OASAM-17

"Equal Employment Opportunity Complaint Files." This system is revised to clarify the descriptions of categories of individuals, categories of records, authority, routine uses, retrievability, safeguards, notification procedures, record access, contesting records, and record source categories; and update statutory references.

DOL/OASAM-19

"Negotiated Grievance Procedure and Unfair Labor Practice Files." The system location has been broadened to include additional offices and categories of records in the system.

DOL/OASAM-20

"Personnel Investigations Records." This system has been deleted.

DOL/OASAM-21

"Senior Executive Service Certification File." This system has been deleted. The OPM/GOVT-1 system includes the same records and has broader routine use.

DOL/OASAM-22

"Directorate of Civil Rights Citizen Discrimination Complaint Case Files."

This system is revised to add clarity to the descriptions of types, uses, and safeguard of records, and to update statutory references.

DOL/OASAM-23

A new system entitled "Contracted Travel Service Program" is established to enable travel agents who are under contract with DOL, to account for travel accrued during the conduct of their business. GSA/Govt-4 did not provide for all necessary routine uses.

DOL/OASAM-24

A new system entitled "Privacy Act/Freedom of Information Act Request Files" is published to give notice of the existence of the system of records containing the correspondence between the requester and the agency.

DOL/OASAM-25

A new system entitled "Intergovernmental Personnel Act Assignment Records" is established for records that are maintained to document and track mobility assignments under the IPA.

Office of Administrative Appeals (OAA)

DOL/OAA-1 is a new system of records entitled Administrative Appeals File. Files contain information relating to administrative adjudications by Departmental officials and Administrative Law Judges.

Office of the Administrative Law Judges (OALJs)

DOL/OALJ-1 is a new system of records entitled Administrative Law Management System. It is comprised of documents in claimants compensation files.

Office of the Assistant Secretary for Policy (ASP)

DOL/ASP-1 is a new system which began October 1, 1988 and will be in force until October 1, 1992. The system is established to protect the confidentiality of the respondents in the National Seasonal Agricultural Services Farm Worker Survey (NSFS).

Benefits Review Board (BRB)

DOL/BRB-1 is a new system of records comprised of documents accessible in case files pertaining to appeals filed with the Benefits Review Board.

Bureau of Labor-Management Relations and Cooperative Programs (BLMRCP)

DOL/BLMRCP-1 is a new system of records created under the employee protection provisions of Section 43 of the Airline Deregulation Act of 1978 and

is entitled Lists of Airline Employees Protected Under the Rehire Program. This system contains lists of protected employees who would be entitled to exercise first-right-of-hire rights in their occupational specialties if they are furloughed or terminated other than for cause. The purpose of the system is to assist covered carriers and others to verify job applicants' protected status under the Act.

DOL/BLMRCP-2 is a new system of records created under the employee protection provisions of Section 43 of the Airline Deregulation Act of 1978 and is entitled Semi-Annual Lists of Hired Employees. This system contains lists of protected employees who have been hired by covered air carriers under the first-right-of-hire requirements of the Act. The purpose of the system is to assist covered carriers and others in verifying job applicants' current status as protected employees under the Act.

DOL/BLMRCP-3 is a new system of records created under the employee protection provisions of Section 43 of the Airline Deregulation Act of 1978 and is entitled Rehire Program Appellant and Inquiry Files. This system contains appeals, inquiries, and related documents from airline employees and others seeking an interpretation or other information from the Department of Labor regarding their status as protected employees under the Act. The purpose of the system is to assist covered air carriers and others in verifying job applicants' protected status under the Act.

DOL/LMSA-20 has been changed to DOL/BLMRCP-4. The Labor-Management Services Administration was dissolved in 1984. The system identified above is housed in the Bureau of Labor-Management Relations and Cooperative Programs, which was established upon the dissolution of LMSA.

Bureau of Labor Statistics (BLS)

DOL/BLS-4 is a new system of records entitled Business Research Advisory Council. This system contains the biographical information on past, current and prospective members of the Council.

DOL/BLS-5 is a new system of records entitled Labor Research Advisory Council. This system contains the biographical information on past, current and prospective members of the Council.

DOL/BLS-6 is a new system of records entitled Applicant Race and National Origin (ARNO) System. This system contains the name, SSN, grade, and race of job applicants. The purpose

is to comply with the data collection requirements for agencies accepting applicants for Schedule B 213.3202(1) appointments as specified by the United States District Court in the civil action known as *Luevano et al. v. Devine*, No. 79-02271.

DOL/BLS-7 is a new system of records entitled BLS Employee Conduct Investigation. This system contains records associated with investigations of alleged employee misconduct.

DOL/BLS-8 is a new system of records entitled BLS Employee ADP Training. This system contains records of computer training of BLS Employees under the BLS ADP training contract.

Employees' Compensation Appeals Board (ECAB)

DOL/ECAB-1 is a new system of records entitled ECAB Docket Records. The system filed and maintained by Docket number and can be cross-referenced to name of appellant. Contains correspondence pertaining to appeal. Retired to Federal Archives after three years and destroyed after 20 years. Access to Docket records is limited to appellants, their authorized representatives and Federal employees with a bona fide, job related need for access.

DOL/ECAB-2 is a new system of records entitled Decision Records. It contains copies of final Decisions and Orders issued by the Employees' Compensation Appeals Board. Filed and maintained by Docket number. Can be cross-referenced to name to appellant. These are public documents and are available upon request.

Employment Standards Administration (ESA)

DOL-ESA-1—*Division of State Employment Standards Public Inquiry File*. Delete. Information is filed by State rather than personal identifier.

DOL-ESA-2—*Office of Federal Contract Compliance Programs Complaint Files*. Minor changes which include amendment to the Veterans Act and to conform to standard format.

DOL-ESA-5—*Black Lung Antidiscrimination Files*. Minor changes to conform to standard format.

DOL-ESA-6—*Black Lung Benefit Claim File*. Changes in retention schedule, routine uses, systems locations, format changes.

DOL-ESA-7 through 11—*Changed to DOL/ESA-30, Black Lung Automated Support Package*. The current contractor for ADP services for Black Lung has made changes which combine all automated support records for the Division into one system. Also includes changes in routine uses, systems

locations to include District Offices, format changes.

DOL-ESA-12—*Black Lung X-ray Interpretation File*. Changes in routine uses, systems locations to include District Offices, format changes.

DOL-ESA-13—*Federal Employees' Compensation Act File*. Routine uses modifications to ensure that they are broad enough to allow for certain matches and for agency use of information for health and safety purposes. Also includes Credit Bureau information and format changes.

DOL-ESA-14—*Federal Employees' Compensation Act Chargeback File*. Delete. This system is now included in DOL-ESA-13. It was a sub-set of DOL-ESA-13.

DOL-ESA-15—*Longshore and Harbor Workers' Compensation Act Case Files*. Minor changes include system manager information and format changes. *Note*: This system is incorrectly identified as a Federal Employees' Compensation Act system in the 1985 Compilation—Table of Contents.

DOL-ESA-18—*Advisory Committee on Sheltered Workshop Members' Files*. Delete. Information is filed by major categories of membership, i.e. labor, industry, etc.

DOL-ESA-22—*Advisory Committee for Higher Education Equal Employment Opportunity Programs Members' Files*. Delete. Committee disbanded.

DOL-ESA-24—*Longshore and Harbor Workers' Compensation Act Special Fund System*. Minor changes to conform to standard format.

DOL-ESA-25—*Office of Federal Contract Compliance Programs Management Information System (OFCC/MIS)*. Minor changes to correct name and location categories and conform to standard format.

DOL-ESA-26—*Longshore and Harbor Workers' Compensation Act Investigation Files*. Minor changes to correct addresses and conform to standard format.

DOL-ESA-27—*Debarred Longshore Act Claimant Representatives*. This is a new system consisting of records relating to individuals who represent or seek to represent claimants under the Longshore and Harbor Workers' Compensation Act.

DOL-ESA-28—*Physicians and Health Care Providers Excluded Under Longshore Act*. This is a new system which maintains records on physicians and other medical providers under the Longshore and Harbor Workers' Compensation Act and its extensions.

DOL-ESA-29—*Physicians and Medical Providers Excluded Under Federal Employees' Compensation Act*. This is a new system which maintains

records on physicians and other medical providers who currently, or in the past, provided medical treatment or services to injured Federal workers under the Federal Employees' Compensation Act.

DOL-ESA-30—*Black Lung Automated Support Package*. This is a new system which provides a means of accessing claims data on every Black Lung claimant; of initiating payments to both beneficiaries and medical service providers; and of maintaining accounting information on debts owed and overpayments reimbursed from the claimant/medical population.

DOL-ESA-31—*Office of Federal Contract Compliance Programs' Time Reporting Information System (TRIS)*. This is a new system which provides OFCCP managers with the capability of tracking hours used in the performance of OFCCP program responsibilities.

DOL-ESA-32—*ESA Employee Conduct Investigations*. This is a new system which conducts employee investigations to determine waste, fraud and abuse.

DOL-ESA-33—*Compliance Officer's Weekly Report*. This is a new system maintained to provide to Wage and Hour District Directors a method of monitoring the activities of Compliance Officers by providing a daily record of their activities.

Employment and Training Administration (ETA)

Notice is provided that previously published systems of records outlined below:

DOL/ETA-3, Bureau of Apprenticeship Foreign National Individual Program File; DOL/ETA-5, ESARS 2 Sample File; DOL/ETS-6, Exemplary Rehabilitation Certification Program File; DOL/ETA-10, Migrant Worker File; DOL/ETA-11, Trainee Characteristic File; DOL/ETA-12, WIN II Characteristics File; DOL/ETA-13, 1% Employee-Employer Sample File; DOL/ETA-18, Analysis of Delayed and Never Filers for Unemployment Insurance; and DOL/ETA-19, Impact of Disqualifications Provisions of State Unemployment Insurance Laws are no longer maintained by the Employment and Training Administration. Information and data are no longer collected. Those records in the previously published systems have been destroyed.

DOL/ETA-7 is a republication of an existing System of Records entitled *Employer Application File for Permanent and Temporary Alien Workers*. Previously, this system was called the Immigration and Rehabilitation Program File. The new

name provides a more accurate description of the file. This system contains the names, addresses and business information of employers who apply to ETA requesting certification to employ alien workers, permanently or temporarily, under the immigration law. Included are both agricultural and nonagricultural employers.

ETA-8. The systems previously designated as ETA-8 (Job Corps Mainstream) and ETA-9 (Job Corps Placement) have been merged into ETA-8; the previous ETA-9 has been deleted as a separate system. This is because the data system records, which had been kept in separate data files, are now combined into one data base.

DOL/ETA-16 is a republication of an existing system of records. This republication provides a more accurate description of the system and its purpose. The republication also expands the definition of the categories of records and the uses for such records, and reports that each of the ten ETA Regional Offices maintains this system of records.

The Employment and Training Administration hereby publishes notice of three new systems of records:

1. DOL/ETA-21, Employment and Training Administration Advisory Committee Files is a new system which covers present and former members of committees established by ETA and candidates applying for a position on an ETA advisory committee.

2. DOL/ETA-22, ETA Employee Conduct Investigations is a new system of records established to retain records on investigations of ETA employees that were previously references under DOL/OSEC-2, which has been deleted.

3. DOL/ETA-23 is a new system and is entitled "Federal Committee on Apprenticeship." The Federal Committee is an advisory group to the Secretary of Labor. The system contains information of a personal nature on Committee members.

Office of the Inspector General (OIG)

DOL/OIG-1, DOL/OIG-2, DOL/OIG-3, DOL/OIG-4, DOL/OIG-5

Some changes have been made to the five OIG systems of records in order to update the system to reflect current OIG operations and to clarify and expand subjects covered by the systems which previously may not have been clear. The routine uses enumerated are substantially more detailed and the number of routine uses has been expanded as well. The routine uses apply to all five of the OIG systems of records. In addition, modifications have been made to the systems, particularly

OIG-1 and OIG-3 to reflect the investigative operations conducted by the Office of Program Fraud Audits and the Office of Investigations pursuant to the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq. Some clarifications have been made to all of the notice sections, particularly "authority for maintenance of the system," "purposes," and "exemptions."

Office of Labor-Management Standards (OLMS)

The Office of Labor-Management Standards (OLMS), supersedes the former Office of Labor-Management Standards Enforcement, Labor-Management Services Administration, as a result of a Departmental reorganization (Secretary's Order 3-84, 49 FR 20578).

DOL/LMSA-1 is redesignated as DOL/OLMS-1. The investigative records comprising this system of records are no longer maintained in the national office; they are presently maintained only in the Area and District Offices of OLMS.

DOL/LMSA-6, the system of records formerly maintained by LMSA regarding general labor relations inquiries made to the agency, is no longer used or maintained by OLMS.

Mine Safety and Health Administration (MSHA)

DOL/MSHA-1—Coal and Metal and Nonmetal Mine Accident and Injury has been amended to comply with the requirements for retrievability under the Privacy Act. Information is now accessed by mine identification, date of accident and social security number of individual(s) involved.

DOL/MSHA-12—Property Control Files has been deleted. It is not accessible by an individual identifier therefore it had been incorrectly included as a Privacy Act System.

DOL/MSHA-15—Health and Safety Training and Examination Records Including Qualification and Certification Data has been amended to comply with the requirements for retrievability under the Privacy Act. Information is now accessed by mine identification, date of accident and social security number of individual(s) involved.

DOL/MSHA-19—Employee Conduct Investigations is a new system of records that replaces DOL/OSEC-2 which was deleted.

Occupational Safety and Health Administration (OSHA)

DOL/OSHA-2, Complaints About State Program Administration Files (CASPA) was deleted as a system of records because CASPA files are no longer maintained by the complainant's

name. They are now filed by the name of the state involved in chronological order. This was necessary to assure that information related to a state's performance is filed by the state concerned.

DOL/OSHA-7, Employees Reports of Unsafe or Unhealthy Working Conditions, was deleted as a system of records. Although such files continue to be maintained, they are no longer accessible by employee name or identifying number; rather they are filed in case files identified by the name of the Federal agency where the employee works because the agency monitors Federal agency safety and health performance and must be able to retrieve such information by agency name.

DOL/OSHA-8, State Compliance Officer Accompanied Visit and On-the-Job Evaluation Records, was deleted as a system of records. OSHA no longer accompanies State compliance officers on their OSHA inspections nor does the agency do on-the-job evaluations. Rather, the agency monitors the adequacy of State compliance officers' activities through statistical reports. Thus, there are no longer such files subject to the Privacy Act.

Amend DOL/OSHA-10, OSHA Private Sector Instructor Files for Construction and Voluntary Compliance Courses to rename as DOL/OSHA-10, OSHA Train-the-Trainer Outreach Program. "Changes in procedures and program operations require changes in the system name, the information requirements for this system, and the methods of storage and retrieval. These changes are procedural and do not affect the categories of information about individual students maintained, individuals' rights of access to information about them, or any other rights under the Privacy Act

Delete DOL/OSHA-11, OSHA Training Institute Course Files. "The various records of individual participation in OSHA Training Institute courses are no longer maintained or retrieved by the individual student's name or other personal identifier. Procedural changes in the OSHA Training Institute's recordkeeping methods now require filing such records by course title and number. Since other personal identifier, there is no longer a need to maintain a system for such records under the Privacy Act."

DOL/OSHA-12, Employee Conduct Investigations is a new system of records relating to investigative reports associated with the case.

Add DOL/OSHA-13, OSHA Office of Training and Education Automated

Registration System. "With the receipt of new data processing equipment in the OSHA Office of Training and Education, it is now possible to automate in data files the registration of all students enrolling in OSHA Training Institute Courses. The registration procedure relies upon retrieval of registration data by using the name of the individual students and is therefore, a system of records subject to the Privacy Act."

Pension and Welfare Benefits Administration (PWBA)

Each system of records listed below is renumbered to conform with a reorganizational alignment.

DOL/PWBA-1 is a republication of DOL/LMSA-5. This system of records, entitled Executive Secretary, Employee Retirement Income Security Act (ERISA) Advisory Council on Employee Welfare and Pension Benefit Plans, contains biographical information on past, current and prospective members of the Council.

DOL/PWBA-2 is a republication of DOL/LMSA-4. This existing system of records now entitled Office of Enforcement Index Cards and Investigation Files, is renamed to include investigative case files.

DOL/PWBA-3 is a republication of DOL/LMSA-21. This existing system of records is entitled ERISA Coverage Correspondence Files.

DOL/PWBA-4 is a republication of DOL/LMSA-23. This existing system of records is retitled Inquiry Correspondence Files to more fully reflect the system's contents.

DOL/PWBA-5 is a new system of records entitled Public Disclosure Request Tracking System. This System contains information about individuals and organizations requesting information and/or reports regarding employee pension and welfare benefit plans.

System managers' addresses are changed and editorial changes are being made.

Office of the Solicitor (OSOL)

DOL/SOL-1—Conflict of Interest File—has been amended to broaden the system location to include the Regional Offices.

DOL/SOL-5—Job Partnership Training Act—this is a republication of an existing system of Records newly entitled Job Training Partnership Act, replacing the Comprehensive Employment and Training Act.

DOL/SOL-8—Special Litigation Division—previously titled Special Litigation Task Force.

DOL/SOL-9—Freedom of Information Act and Privacy Act Appeals Files—this

is a new system of Records designed to process an individual's administrative appeals made under the Privacy and Freedom of Information Acts.

DOL/SOL-10—Privacy Act Litigation Files—this is a new System of Records the purpose of which is for use in defending the Department of Labor against lawsuits.

DOL/SOL-11—Division of Civil Rights Defensive Litigation Files—this is a new system of records which is maintained to defend the Department in legal actions including civil rights enforcement activities.

DOL/SOL-12—Third Party Recovery System—this is a new system of records which is maintained to keep track of compensation received by the Department on behalf of third parties.

DOL/SOL-13—SOL Employee Conduct Investigations—this is a new system of records maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest are retained and are available.

DOL/SOL-14—DOL Subpoena Tracking System—this is a new system maintained to track those DOL employees or former employees who have been subpoenaed or whose testimony has been requested in actions in which DOL is not a party.

Office of Veterans Employment and Training (VETS)

Pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, the Department of Labor hereby revises the system of records maintained by the Office of Assistant Secretary for Veterans Employment and Training, previously published at 47 FR 30401, by deleting DOL/LMSA-3, OVRP Inquiry Files and by deleting DOL/ETA-6, Exemplary Rehabilitation Certificate Program. These records are no longer maintained by the agency.

Routine Uses

The Department, in the *General Prefatory Statement*, sets forth eleven paragraphs containing routine uses which apply to all systems. The routine use for disclosure during litigation conforms to the guidelines issued by the U.S. Department of Justice.

Government-Wide Records

Two systems of records are reported by the Department of Labor for all federal agencies since this Department has overall responsibility for the administration of the programs in connection with which these systems of records have been compiled. It is presumed that most, if not all, federal agencies maintain systems of records comprising a portion of the government-wide systems of records. In order to

avoid duplication in reporting, the Department is reporting these systems on behalf of all agencies. The Department has control over these systems to the same extent as the Office of Personnel Management has control over systems of records containing federal employee personnel records. These systems are the Federal Employees' Compensation Act files and the Job Corpsmember Records.

Signed at Washington, DC, this 14th day of February 1990.

Elizabeth Dole,
Secretary of Labor.

Table of Contents

General Prefatory Statement

Office of the Secretary (OSECY)

DOL/OSEC-1—Supervisors Records of Employees.

DOL/OSEC-4—Credit Data on Individual Debtors.

Office of the Assistant Secretary for Administration and Management (OASAM)

DOL/OASAM-1—Attendance, Leave and Payroll File.

DOL/OASAM-4—Occupational Accident/Injury/Illness Reporting System (AIIRS) File.

DOL/OASAM-5—Rehabilitation and Counseling File.

DOL/OASAM-7—Employee Medical Records.

DOL/OASAM-11—Training Information System.

DOL/OASAM-14—Automated Position Control System.

DOL/OASAM-15—Travel and Transportation System.

DOL/OASAM-17—Equal Employment Opportunity Complaint Files.

DOL/OASAM-19—Negotiated Grievance Procedure and Unfair Labor Practice Files.

DOL/OASAM-20—Personnel Investigation Records.

DOL/OASAM-22—Directorate of Civil Rights Citizen Discrimination Complaint Files.

DOL/OASAM-23—Contracted Travel Service Program.

DOL/OASAM-24—Privacy Act/Freedom of Information Act Requests Files Systems.

DOL/OASAM-25—Intergovernmental Personnel Act Assignment Records.

Office of Administrative Appeals (OAA)

DOL/OAA-1—Administrative Appeals File.

DOL/OALJ-1—Administrative Law Management System.

Office of the Assistant Secretary for Policy (ASP)

DOL/ASP-1—Seasonal Agricultural Services (SAS) Farmworker Research File, Case Tracking file, Name Index.

Benefits Review Board (BRB)

DOL/BRB-1—Appeals Files—Benefits Review Board.

Bureau of Labor-Management Relations and Cooperative Programs (BLMRCP)

- DOL/BLMRCP-1—Lists of Airline Employees Protected Under the Rehire Program.
- DOL/BLMRCP-2—Semi-Annual Lists of Hired Employees.
- DOL/BLMRCP-3—Rehire Program Appellant and Inquiry Files.
- DOL/BLMRCP-4—BLMRCP, Redwood Employee Protection Program, Health and Welfare Claims and Benefits Payments.

Bureau of Labor Statistics (BLS)

- DOL/BLS-2—Staff Utilization File.
- DOL/BLS-3—Regional Office Staff Utilization File.
- DOL/BLS-4—Business Research Advisory Council.
- DOL/BLS-5—Labor Research Advisory Council.
- DOL/BLS-6—Applicant Race and National Origin System.
- DOL/BLS-7—BLS Employee Conduct Investigation.

Employees' Compensation Appeals Board (ECAB)

- DOL/ECAB-1—Employees' Compensation Appeals Board Docket Records.
- DOL/ECAB-2—Employees' Compensation Appeals Board Disposition Records.

Employment Standards Administration (ESA)

- DOL/ESA-2—Office of Federal Contract Compliance Programs, Complaint Files.
- DOL/ESA-5—Office of Workers' Compensation Programs, Black Lung Anti-discrimination Files.
- DOL/ESA-6—Office of Workers' Compensation Programs, Black Lung Benefit Claim File.
- DOL/ESA-12—Office of Workers' Compensation Programs, Black Lung X-ray Interpretation File.
- DOL/ESA-13—Office of Workers' Compensation Programs, Federal Employees' Compensation File.
- DOL/ESA-15—Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Case Files.
- DOL/ESA-24—Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Special Fund System.
- DOL/ESA-25—Office of Federal Contract Compliance Programs, Management Information System (OFCC/MIS).
- DOL/ESA-26—Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Investigation Files.
- DOL/ESA-27—Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Claimant Representatives.
- DOL/ESA-28—Office of Workers' Compensation Programs, Physicians and Health Care Providers Excluded Under the Longshore Act.
- DOL/ESA-29—Office of Workers' Compensation Programs, Physicians and Health Care Providers Excluded Under the Federal Employees' Compensation Act.
- DOL/ESA-30—Office of Workers' Compensation Programs, Black Lung Automated Support Package.

- DOL/ESA-31—Office of Federal Contract Compliance Programs, Time Reporting Information System (TRIS).
- DOL/ESA-32—Employment Standards Administration, Employee Conduct Investigations.

Employment and Training Administration (ETA)

- DOL/ETA-1—Bureau of Apprenticeship and Training, Budget and Position Control File.
- DOL/ETA-2—Bureau of Apprenticeship and Training, Program Management Group, Budget and Position Control File.
- DOL/ETA-4—Apprenticeship Management System.
- DOL/ETA-7—Employer Application File for Permanent and Temporary Alien Workers.
- DOL/ETA-8—Job Corps Management Information System File.
- DOL/ETA-14—Job Corpsmember Records.
- DOL/ETA-16—Employment and Training Administration Investigatory File.
- DOL/ETA-20—Federal Bonding Program, Bondees Certification Files.
- DOL/ETA-21—Employment and Training Administration Advisory Committees Files.
- DOL/ETA-22—ETA Employee Conduct Investigations.
- DOL/ETA-23—Federal Committee on Apprenticeship.

Office of Inspector General (OIG)

- DOL/OIG-1—General Investigative Files, Case Tracking Files, and Subject/Title Index.
- DOL/OIG-2—Freedom of Information/Privacy Acts Records.
- DOL/OIG-3—Case Development Records.
- DOL/OIG-4—Temporary Matching Files.
- DOL/OIG-5—Investigative Case Tracking Systems/Audit Information Reporting Systems.

Office of Labor-Management Standards (OLMS)

- DOL/OLMS-1—Investigative Files.

Mine Safety and Health Administration (MSHA)

- DOL/MSHA-1—Coal and Metal and Nonmetal Mine Accident Injury.
- DOL/MSHA-3—Metal and Nonmetal Mine Safety and Health Management Information System.
- DOL/MSHA-10—Discrimination Investigations.
- DOL/MSHA-13—Coal Mine Respirable Dust Program.
- DOL/MSHA-14—Coal Mine Noise Level Programs.
- DOL/MSHA-15—Health and Safety Training and Examination Records Including Qualification and Certification Data.
- DOL/MSHA-18—Coal Mine Safety and Health Management Information System.
- DOL/MSHA-19—Employee Conduct Investigations.

Pension and Welfare Benefits Administration (PWBA)

- DOL/PWBA-1—Executive Secretary, Employee Retirement Income Security Act (ERISA), Advisory Council on Employee Welfare and Pension Benefit Plans.
- DOL/PWBA-2—Office of Enforcement Index Cards and Investigation Files.

- DOL/PWBA-3—ERISA Coverage Correspondence Files.

- DOL/PWBA-4—Inquiry Correspondence Files.
- DOL/PWBA-5—Public Disclosure Request Tracking System.

Occupational Safety and Health Administration (OSHA)

- DOL/OSHA-1—Discrimination Complaint File.
- DOL/OSHA-4—Advisory Committee Candidates' Biographies.
- DOL/OSHA-6—Compliance Safety and Health Officer Manpower File.
- DOL/OSHA-9—OSHA Compliance Safety and Health Officer Training Record.
- DOL/OSHA-10—OSHA Train-the-Trainer Outreach Program.
- DOL/OSHA-12—OSHA Employee Conduct Investigations.
- DOL/OSHA-13—OSHA Office of Training and Education Automated Registration System.

Office of the Solicitor (SOL)

- DOL/SOL-1—Conflict of Interest File.
- DOL/SOL-2—Employment and Training Legal Services Litigation and Investigation File.
- DOL/SOL-3—Federal Tort Claims Act.
- DOL/SOL-5—Job Training Partnership Act.
- DOL/SOL-6—Military Personnel and Civilian Employees Claims Act.
- DOL/SOL-7—Solicitor's Legal Activity Recordkeeping System.
- DOL/SOL-8—Special Litigation Division.
- DOL/SOL-9—Freedom of Information Act and Privacy Act Appeals File.
- DOL/SOL-10—Privacy Act Litigation Files.
- DOL/SOL-11—Division of Civil Rights Defensive Litigation file.
- DOL/SOL-12—Third Party Recovery System.
- DOL/SOL-13—SOL Employee Conduct Investigations.
- DOL/SOL-14—DOL Subpoena Tracking System.

Veterans Employment and Training (VETS)

- DOL/VETS-1—Veterans' Reemployment Complaint File.

APPENDIX I—RESPONSIBLE OFFICIALS

APPENDIX II—PRIVACY ACT COORDINATORS

General Prefatory Statement

The following routine uses apply to and are incorporated by reference into each system of records published below unless the text of a particular notice of a system of records indicate otherwise.

1. In the event that a system of records, maintained by the Department to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of

investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from any system of records, set forth below may be disclosed, as a routine use, to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information on a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefits.

3. A record from any system of records set forth below may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, in issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefits by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. To the Department of Justice or in a proceeding before a court or adjudicative body when:

(a) The U.S., Department of Labor, or any component of the Department or when represented by the Government an employee of the Department party to litigation or anticipated litigation or has an interest in such litigation, and

(b) The disclosure is deemed by the DOL to be relevant and necessary to the litigation, and

(c) The DOL determines that disclosure is compatible with the purpose for which the record was compiled.

5. A record from any system of records set forth below may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual's record when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record.

6. A record from any system of records set forth below which contains medical information may be disclosed, as a routine use, to a physician designated in writing by any individual who request access to the record if, in the sole judgement of the Department, disclosure could have an adverse effect upon the individual, under the provisions of 5 U.S.C. 552a(f)(3) and implementing regulations.

7. A record from any system of records set forth below may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief, legislative coordination and clearance process.

8. A record from a system of records may be disclosed as a routine use to an actual or potential party or his or her attorney for the purpose of negotiation or discussion of such matters as settlement of the case or matter plea bargaining, and informal discovery proceedings.

9. A record from any systems or records may be disclosed as a routine use to the National Archives & Records Administration (NARA) in records management inspections conducted under the authority of 44 U.S.C. 2904 & 2906.

10. A record from a system of records may be disclosed as a routine use to respond to a request for discovery and appearance of a witness, when relevant to the subject matter involved in a pending judicial or administrative proceeding.

11. A record from a system of records may be disclosed as a routine use to disclose information to an expert, a consultant, a volunteer, or contractor (including employees of the contractor) of Department of Labor who is performing a Federal duty.

Government-Wide Records

Two systems of records are reported by the Department of Labor for all federal agencies since this Department has overall responsibility for the administration of the programs in connection with which these systems of records have been compiled. It is presumed that most, if not all federal agencies maintain systems of records comprising a portion of the government wide systems of records. In order to avoid duplication in reporting, the Department is reporting these systems on behalf of all agencies. The Department has control over these systems to the same extent as the Office of Personnel Management has control over systems of records containing federal employee personnel records.

1. *Federal Employees' Compensation Act files:* All records relating to injury or death of civilian employees or other persons entitled to benefits under the Federal Employees' Compensation Act are the records of the Office of Workers' Compensation Programs of the Department of Labor. The Office asserts control of these records under the provisions of 5 U.S.C. 8149 and Department regulations at 20 CFR 10.10. The systems of records for these records

is being reported by the Department as a Government-wide notice. This notice, however, does not apply to other medical or related files not created pursuant to the Federal Employees' Compensation Act which may be in the possession of an agency.

2. *Job Corpsmember Records:* All records which contain information about corpsmembers during their stay, from entrance to placement and/or termination are retained. The Office of Employment and Training Administration asserts control of these records under 29 U.S.C. 1691 et. seq. The systems of records for these records is being reported by the Department as a Government-wide notice.

Initial determinations concerning access, amendment or correction of these records shall be made by the administrative agency. Administrative appeals shall be referred to the Solicitor of Labor, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

3. The Department of Labor formerly reported Office of Federal Contract Compliance Programs Complaint Files on behalf of all executive agencies. This government-wide report is no longer necessary, because Executive Order 12086 (43 FR 46501, October 10, 1978) has led to the consolidation, under the Secretary of Labor, of all contract compliance functions for equal employment opportunity. Accordingly, the OFCCP Complaint Files are now reported by the Employment Standards Administration under DOL/ESA-2.

Addresses to Which Requests May Be Directed.

The addresses of the various component units of the Department as well as its field offices are contained in Appendix I annexed to this document. For general assistance, you may wish to contact the Privacy Act Coordinators listed in appendix II.

In addition, the following government agencies also have Government-wide Systems of Records:

Government-Wide Systems

EEOC/GOVT 1—Equal Employment Opportunity Complaint Records and Appeal Records.

FEMA/GOVT 1—Uniform Identification Systems for Federal Employees Performing Essential Duties During Emergencies.

GSA/GOVT 2—Employment Under Commercial Activities Contracts.

GSA/GOVT 3—Travel Charge Card Program.

GSA/GOVT 4—Contracted Travel Services Programs.

MSPB/GOVT 1—Appeal and Case Records.

OPM/GOVT 1—General Personnel Records.

OPM/GOVT 2—Employee Performance File System Record.

OPM/GOVT 3—Records of Adverse Actions and Actions Based on Unacceptable Performance.

OPM/GOVT 4—Executive Branch Public Financial Disclosure Reports and other Ethics Program Records.

OPM/GOVT 5—Recruiting, Examining and Placement Records.

OPM/GOVT 6—Personnel Research and Test Validation Records.

OPM/GOVT 7—Applicant—Race, Sex, National Origin and Disability Status Records.

OPM/GOVT 8—Confidential Statements of Employment and Financial Interests.

OPM/GOVT 9—File on Position Classification Review Requests (Appeals) and Grade and Pay Retention Appeals.

OPM/GOVT 10—Employee Medical File System Records.

Addresses to Which Requests May Be Directed. The addresses of the various component units of the Department as well as its field offices are contained in appendix I annexed to this document. For general assistance, you may wish to contact the Privacy Act Coordinators listed in appendix II.

DOL/OSEC/01

SYSTEMS NAME:

Supervisor's Records of Employees.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Immediate supervisors and one additional organizational level at all facilities of the Department.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current employees and employees who have departed within the past year.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to individuals while employed by the Department and which contain such information as: record of employee/supervisor discussions, supervisory copies of officially recommended actions, reports of FTS telephone usage containing call detail information, awards, disciplinary actions, emergency addressee information, correspondence from physicians, and training requests.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 1302, 2951, 4118, Reorganization Plan 6 of 1950, and the Civil Service Reform Act of 1978.

PURPOSE(S):

To maintain a file of information that serves as a reminder for supervisors as

they take specific personnel actions on employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES AND USERS AND THE PURPOSE OF SUCH USES:

Selected information may be disclosed at appropriate stages of adjudication to the Merit Systems Protection Board, Office of the Special Counsel, the Federal Labor Relations Authority, the Equal Employment Opportunity Commission, arbitrators, or the courts.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in manual files, computer printouts, and other appropriate media.

RETRIEVABILITY:

Records are indexed by any combination of name or Social Security Number, or telephone number.

SAFEGUARDS:

Locked storage cabinets and desks.

RETENTION AND DISPOSAL:

Records are maintained on current employees. Records on former employees are kept for one year, then destroyed.

SYSTEM MANAGERS(S) AND ADDRESS:

All supervisors having responsibility for performance management plans.

NOTIFICATION PROCEDURE:

An individual may inquire whether or not the system contains a record pertaining to her/him by contacting the supervisor who completes his/her performance management plan.

RECORD ACCESS PROCEDURES:

As specified above in "Notification Procedure".

CONTESTING RECORD PROCEDURES:

As specified above in "Notification Procedure".

RECORD SOURCE CATEGORIES:

Information is supplied by the individual, the supervisor, and other agency officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OSEC-4

SYSTEM NAME:

Credit Data on Individual Debtors.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. Offices in Washington, DC:
1. Office of the Secretary of Labor, including:
a. Office of the Assistant Secretary for Administration and Management (OASAM);
b. Office of Information and Public Affairs;
c. Bureau of International Labor Affairs;
d. Employees' Compensation Appeals Board;
e. Wage Appeals Board;
f. Benefits Review Board;
g. Office of Administrative Law Judges;
h. Pension Benefit Guaranty Corporation;
i. Committee on the Employment of People with Disabilities;
j. National Occupational Information Coordinating Committee;
k. National Commission for Employment Policy;
2. Pension and Welfare Benefits Administration;
3. Office of Labor-Management Services;
4. Bureau of Labor Statistics;
5. Employment Standards Administration;
6. Employment and Training Administration;
7. Occupational Safety and Health Administration;
8. Mine Safety and Health Administration;
9. Office of the Inspector General;
10. Bureau of Labor Management Relations and Cooperative Programs;
11. Office of the Solicitor of Labor.
B. Regional, area and other offices of the above.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals, including DOL employees, former DOL employees, and other individuals who are indebted to the United States.

CATEGORIES OF RECORDS IN THE SYSTEM:

Commercial credit reports, correspondence to and from the debtor, information or records relating to the debtor's current whereabouts, assets, liabilities, income and expenses, debtor's personal financial statements, and other information such as social security number, address, nature,

amount and history of the debt, and other records and reports relating to the implementation of the Debt Collection Act of 1982, including any investigative reports or administrative review matters.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Claims Collection Act of 1966, as amended, 80 Statute 309; 31 U.S.C. 3700; Debt Collection Act of 1982, Pub. L. 97-365; and title 4, Code of Federal Regulations, chapter II.

PURPOSE OF SYSTEM:

To assemble in one system information on individuals who are indebted to the Department of Labor for the purpose of determining collectibility of debts and taking appropriate actions to collect or otherwise resolve the debts.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

A. Pursuant to section 13 of the Debt Collection Act of 1982, the name, address(es), telephone number(s), social security number, and nature, amount and history of the debt of an individual may be disclosed to private debt collection agencies for the purpose of collecting or compromising a debt existing in this system.

B. Department of Justice/General Accounting Office: Information may be forwarded to the General Accounting Office and/or the Department of Justice as prescribed in the Joint Federal Claims Collection Standards, 4 CFR chapter II. When debtors fail to make payment through normal collection routines, the files are analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice for litigation.

C. Other Federal agencies: 1. Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal Agencies to effect salary or administrative offsets, or for other purposes connected with the collection of debts owed to the United States.

2. A record from this system may be disclosed to a Federal Agency in response to its request in connection with the hiring/retention of an employee, the letting of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is necessary and relevant to the requesting agency's decision on the matter.

D. Internal Revenue Service: 1. Information contained in the system of records may be disclosed to the Internal

Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write-off a Federal claim against the taxpayer.

2. Information may be disclosed to the Internal Revenue Service for the purpose of offsetting a Federal claim from any income tax refund that may be due to the debtor.

3. Information may be disclosed to the Internal Revenue Service concerning the discharge of an indebtedness owed by an individual.

E. Information contained in the system of records may be disclosed to a consumer reporting agency for the purpose of receiving a credit report identifying the assets, liabilities, income, and expenses of a debtor to ascertain the debtor's ability to repay a debt.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status, and history of overdue debts; the name and address, taxpayer identification (SSN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), in accordance with section 3(d)(4)(a)(ii) of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THIS SYSTEM:

STORAGE:

The records are in manual files, magnetic tapes or other computer storage media, or on computer printouts.

RETRIEVABILITY:

Credit data is maintained by debtor name, claim number, cross referenced to the social security number (when available) to verify name and address.

SAFEGUARDS:

When not in use by personnel responsible for the records, manual files and computer printouts are stored in locked file cabinets; magnetic tapes and other computer storage media are stored in locked rooms. While on-line, computerized records are secured by way of system access controls, including but not necessarily limited to password protection.

RETENTION AND DISPOSAL:

After becoming inactive, records are cut-off at the end of the fiscal year, held

one year, and then retired to a Federal Records Center under Record Group 217, GAO. Records created prior to July 2, 1975, will be retained for 10 years 3 months after the close of the account. Records created after July 2, 1975, will be retained by GAO for 6 years and 3 months after the close of the account.

SYSTEM MANAGER(S) AND ADDRESS:

See the appropriate agency official, 29 CFR 70.43.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager.

RECORD ACCESS PROCEDURE:

Contact the appropriate agency official listed in the "Notification procedure" section.

CONTESTING RECORD PROCEDURE:

DOL rules and regulations for contesting any record contents disclosure, and for appealing same, are promulgated at 29 CFR 70a.9.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from commercial credit reports, agency investigative reports, debtor's personal financial statements, correspondence and records relating to hearings on the debt, and from other DOL systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-1

SYSTEM NAME:

Attendance, Leave, and Payroll File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. Offices in Washington, DC:
1. Office of the Secretary of Labor, including:
a. Office of the Assistant Secretary for Administration and Management, (OASAM);
b. Office of the Solicitor of Labor;
c. Office of Public and International Affairs;
d. Bureau of International Labor Affairs;
e. Employees' Compensation Appeals Board;
f. Wage Appeals Board;
g. Benefits Review Board;
h. Office of Administrative Law Judges;

- i. Pension Benefit Guaranty Corporation;
- j. President's Committee on the Employment of People with Disabilities;
- k. National Occupational Information Coordinating Committee;
- l. National Commission for Employment Policy;
- m. Veteran's Employment and Training Service.
- 2. Bureau of Labor Statistics;
- 3. Employment Standards Administration;
- 4. Office of Labor-Management Services;
- 5. Employment and Training Administration;
- 6. Occupational Safety and Health Administration;
- 7. Mine Safety and Health Administration;
- 8. Office of the Inspector General;
- 9. Pension and Welfare Benefits Administration;
- 10. Bureau of Labor Management Relations and Cooperative Programs.
- B. Regional and Area Offices of the above.
- C. Timekeepers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Department of Labor employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, social security number and employee number, grade, step, and salary, organization (code), retirement or FICA data as applicable, Federal, State and local tax deductions, as appropriate, IRS tax lien data, savings bond and charity deductions; regular and optional government life insurance deduction(s), health insurance deduction and plan or code; cash award data; jury duty data, military leave data, pay differentials, union dues deductions, allotments by type and amount, Thrift Savings Plan contributions, financial institution code and employee account number, leave status and data of all types (including annual, compensatory, jury duty, maternity, military, retirement, disability, sick, transferred, and without pay), time and attendance records, including flexitime log sheets indicating number of regular, overtime, holiday, Sunday, and other hours worked, pay period number and ending date, cost of living allowances, co-owner and/or beneficiary of bonds, marital status, number of dependents, mailing address, and "Notification of Personnel Action." Commercial credit reports of individuals indebted to the United States, correspondence to and from the debtor, information or records relating to the debtor's current whereabouts, assets, liabilities, income and expenses,

debtor's personal financial statements and other information such as the nature, amount and history of a debt owed by an individual covered by this system, and other records and reports relating to the implementation of the Debt Collection Act of 1982, including any investigative reports or administrative review matters. The individual records listed herein are included only as pertinent or applicable to the individual employee.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 66(a).

PURPOSE:

In compliance with principles and standards prescribed by the Comptroller General, manage the Department of Labor's compensation and benefits processing, accounting, and reporting. Provide control procedures and systems to assure the complete and timely processing of input documents and output reports necessary to update and maintain the Department's Interactive Payroll System.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

A. Transmittal of data to the U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments to financial institutions, and other authorized purposes. Transmittal of Thrift Savings Plan data to the Thrift Savings Board to effect contributions to the Thrift Savings Plan. Tax withholding data is sent to the Internal Revenue Service and appropriate State and local taxing authorities, FICA deductions to the Social Security Administration, dues deductions to labor unions, withholdings for health insurance to insurance carriers and the Office of Personnel Management, charity deductions to agents of charitable institutions, annual W-2 statements to taxing authorities and the individual, and transmittal of computer tape data to appropriate State and local governments for their benefits matching projects.

B. Pursuant to section 13 of the Debt Collection Act of 1982, the name, Social Security Number, address(es), telephone number(s), and nature, amount and history of the debt of a current or former employee may be disclosed to private collection agencies for the purpose of collecting or compromising a debt existing in this system.

C. Department of Justice and General Accounting Office: Information may be forwarded to the General Accounting Office and/or the Department of Justice

as prescribed in the Joint Federal Claims Collection Standards (4 CFR chapter II). When debtors fail to make payment through normal collection routines, the files are analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice for litigation.

D. Other Federal Agencies:

(1) Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal Agencies to effect salary or administrative offsets, or for other purposes connected with the collection of debts owed to the United States.

(2) A record from this system may be disclosed to a Federal Agency in response to its request in connection with the hiring/retention of an employee, the letting of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is necessary and relevant to the requesting agency's decision on the matter.

E. Internal Revenue Service:

(1) Information contained in the system of records may be disclosed to the Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write-off a Federal claim against the taxpayer.

(2) Information may be disclosed to the Internal Revenue Service concerning the discharge of an indebtedness owed by an individual.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status, and history of overdue debts; the name and address, taxpayer identification number (SSN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual and machine-readable files.

RETRIEVABILITY:

By name and SSN.

SAFEGUARDS:

Personnel screening and locked storage equipment.

RETENTION AND DISPOSAL:

Retained until after GAO audit. Records are then disposed of, or retired, according to specified agency/GRS records schedules.

SYSTEM MANAGER(S) AND ADDRESS:

See the appropriate Agency Official in attached and at 29 CFR 70a.43.

NOTIFICATION PROCEDURE:

As in system manager and address.

RECORD ACCESS PROCEDURES:

As in system manager and address.

CONTESTING RECORD PROCEDURES:

As in system manager and address.

RECORD SOURCE CATEGORIES:

Employees, supervisors, timekeepers, official personnel records, the IRS, commercial credit reports, personal financial statements, correspondence with the debtor, records relating to hearings on the debt, and from other DOL systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**DOL/OASAM-4****SYSTEM NAME:**

Occupational Accident/Injury/Illness Reporting System (AIIRS) File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Safety and Health, OASAM, U.S. Department of Labor, room S-2220F, 200 Constitution Avenue, NW., Washington, DC, 20210 and DOL regional offices. A copy of Form DL 1-440, Supervisor's Report of Accident/Injury/illness, is retained in the office of the supervisor who files the report.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employees and Job Corpsmembers involved in occupationally related accidents, injuries and illnesses.

CATEGORIES OF RECORDS IN THE SYSTEM:

Reports of on-the-job accidents, injuries, and illnesses generated as a result of filing a DL 1-440, Supervisor's Report of Accident/Injury/Illness form.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 651 *et seq.*, 29 CFR part 1960, 5 U.S.C. 7902, DOL Secretary's Order 1-88, Executive Order 12196.

PURPOSE(S):

This system is used (a) to provide a documented record of accidents, injuries, and illnesses for the purpose of measuring safety and health program's effectiveness; (b) to provide an information source for compliance with the Occupational Safety and Health Act; (c) to provide summary data of injury, illness and property loss information to departmental agencies in a number of formats for analytical purposes in establishing programs to reduce or eliminate loss producing problem areas; (d) to provide listings of individual cases to departmental agencies to ensure that accidents occurring are reported through the accident/injury/illness reporting system; and (e) adjudicating tort and employee claims.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USERS:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are stored in manual files and on machine readable magnetic tape in national and regional offices where report is submitted.

RETRIEVABILITY:

Records are retrieved by any record element, including name.

SAFEGUARDS:

Records are maintained in locked storage equipment. Computer files are accessible only through proper code numbers.

RETENTION AND DISPOSAL:

Records are maintained for five years (5) after each report is filed with the agency, according to the OSHA Act of 1970. Records are then retired/disposed of according to NARA approved records schedules.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., room S-2220F, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the systems manager, or the servicing regional office in which they are employed. Individuals must furnish the

following information for their records to be located and identified:

- Full name.
- Social security number.
- File/case number.
- Signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- File/case number.
- Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request information about their records should contact the systems manager shown above. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Social security number.
- File/case number.
- Signature.

RECORD SOURCE CATEGORIES:

(a) The individual to whom the information pertains; (b) the individual's supervisor; and (c) Form DL 1-440, Supervisor's Report of Accident/Injury/Illness.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-5**SYSTEM NAME:**

Rehabilitation and Counseling File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Safety and Health, OASAM, U.S. Department of Labor, room S-3217, 200 Constitution Avenue, NW., Washington, DC 20210 and DOL regional offices.

Note: In order to meet the statutory requirement that agencies provide appropriate prevention, treatment, and rehabilitation programs and services for employees with alcohol or drug problems, and to better accommodate establishment of a health service program to promote employees' physical and mental fitness, it

may be necessary for an agency to use the counseling staff of another Federal, state, or local government, or private sector agency or institution. This system does not cover records on DOL employees that are maintained by other government agencies. Those records are considered the property of the agency providing treatment. All information contained therein is considered privileged and under the protection of the Privacy Act of 1974 and the Confidentiality Regulations (42 CFR part 2).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former DOL employees who have been counseled or otherwise treated regarding alcohol or drug abuse or for personal or emotional health problems.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records in this system include documentation of visits to employee counselors (Federal, state, local government, or private) and the diagnosis, recommended treatment, results of treatment, and other notes or records of discussions held with the employee made by the counselor. Additionally, records in this system may include documentation of treatment by a private therapist or a therapist at a Federal, State, local government, or private institution.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 290aa-1, 21 U.S.C. 1101 *et seq.*, E.O. 12564

PURPOSE:

These records are used to document the nature of the individual's problem and progress made and to record the individual's participation in and the results of community or private sector treatment or rehabilitation programs.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- To disclose patient identifying information to medical personnel who have a need for the information about a patient for the purpose of treating a condition which poses an immediate threat to health of any person in accordance with 42 CFR 2.51;
- To disclose patient identifying information for the purpose of conducting scientific research under the circumstance set forth in 42 CFR 2.52;
- To disclose patient identifying information for audit and evaluation purposes under the circumstances set forth in 42 CFR 2.53;
- To disclose patient identifying information to medical personnel of the

Food and Drug Administration (FDA) under the circumstances set forth in 42 CFR 2.51(b) *et seq.*;

e. To disclose information to a Federal, State or local law enforcement authority about a crime committed by a patient either at the program or against any person who works for the program, or about a threat to commit such a crime. (See 42 CFR 2.22);

f. To disclose the fact of a minor's application for treatment to the minor's parent or guardian where State law requires parental consent. (See 42 CFR 2.14(c));

g. To disclose information to a Qualified Service Organization (QSO) in accordance with 42 CFR 2.12(c)(4), *i.e.* where the QSO needs the information to provide services to the program;

h. To disclose information to State and local law enforcement authorities pertaining to incidents of suspected child abuse or neglect as described in 42 CFR 2.12(c)(6).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders.

RETRIEVABILITY:

These records are retrieved by the name of the individual on whom they are maintained.

SAFEGUARDS:

These records are maintained in locked file cabinets labeled confidential with access strictly limited to employees directly involved in the Office's alcohol and drug abuse prevention function (as that term is defined in 42 CFR part 2).

RETENTION AND DISPOSAL:

Records are maintained for six (6) years after the employee's last contact with the Office's prevention function or, if the employee leaves the agency, until the Employee Assistance Program Annual Report for the fiscal year in which separation occurred is prepared. Records are destroyed by shredding or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Health Services,
U.S. Department of Labor, room S-3217,
200 Constitution Avenue, NW.,
Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains

information about them should contact the DOL Employee Assistance Program coordinator who arranged for counseling or treatment. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- Signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records pertaining to them should contact the DOL Employee Assistance Program coordinator who arranged for counseling or treatment. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment to these records should contact the DOL Employee Assistance Program coordinator who arranged for counseling or treatment.

Individuals must furnish the following information for their records to be located and identified.

- Full name.
- Date of birth.
- Signature.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

RECORDS SOURCE CATEGORIES:

Information in this system of records comes from the individual to whom it applies, the supervisor of the individual if the individual was referred by a supervisor, the Employee Assistance Program staff member who records the counseling session, therapists or institutions providing treatment, and other sources whom the Office believes may have information relevant to treatment of the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-7

SYSTEM NAME:

Employee Medical Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, OASAM, room S-3214, 200 Constitution Avenue, NW., Washington, DC 20210 and the DOL Health Unit at 555 Griffin Square Building, Dallas, Texas 75202.

Note: Other regional and national office health unit services are provided by other Federal agencies located near DOL work sites, such as the U.S. Public Health Service, Department of the Navy, and the Internal Revenue Service. Employee health records maintained by these agencies are considered the property of the agency providing treatment. The records are maintained in the strictest confidence and all information contained therein is considered privileged and under the protection of the Privacy Act of 1974.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered are those of the following who have received health services under the Federal Employee Occupational Health Program:

- DOL employees (whether actually employed at 200 Constitution Avenue or elsewhere in the Washington, DC, area), who have received services at the DOL Health Unit.
- DOL employees who participate in the Health Unit located at 555 Griffin Square Building, Dallas, Texas, who have received health services.
- Employees of other agencies/visitors who have received health services at DOL Health Units.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system is comprised of records developed as a result of employee utilization of services provided under the Office's Occupational Health Program. These records contain the following information:

- Medical history and other biographical data on those individuals requesting employee health maintenance physical examinations.
- Test reports and medical diagnosis based on employee health maintenance physical examinations or health screening program tests (tests for single medical conditions or diseases).
- History of complaint, diagnosis, and treatment of injuries and illnesses cared for at Health Unit.
- Vaccination records.
- All other medical records, forms, and reports created on an employee during his or her period of employment or records designated for long-term retention.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 7901 *et seq.*, Office of Management and Budget Circular No. A-77.

PURPOSES:

These records document employee utilization of health services provided under the Office's Occupational Health Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- To refer information required by applicable law to be disclosed to a Federal, State, or local public health service agency, concerning individuals who have contracted certain communicable diseases or conditions. Such information is used to prevent further outbreak of the disease or condition.
- To disclose information to the appropriate Federal, State, or local agency responsible for investigation of an accident, communicable disease, medical condition, or injury as required by pertinent legal authority.
- To disclose information to another Federal agency, to a court or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.
- To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.
- To disclose to the OWCP information in connection with a claim for benefits filed by an employee.
- To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual.
- To communicate information to contractors providing medical or counseling services to Department of Labor employees when such contractors have a need for the information in connection with their services. This would include medical or health personnel and alcohol or other drug abuse counselors.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are stored in manual file folders.

RETRIEVABILITY:

These records are retrieved by the name of the individual to whom they pertain.

SAFEGUARDS:

Records are maintained in a locked file cabinet with access limited to authorized staff employees.

RETENTION AND DISPOSAL:

Records are destroyed six (6) years after last entry. (Suspended per GSA FPMR Bulletin B-112, August 5, 1981).

SYSTEM MANAGER(S) AND ADDRESS:

- For records maintained at the Office's Health Unit in Washington, DC, Chief, Division of Health Services, U.S. Department of Labor, 200 Constitution Avenue, NW., room S-3217, Washington, DC 20210.
- For records maintained at the 555 Griffin Square Building Health Unit in Dallas, Texas, Regional Administrator-OASAM.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Any former name, if applicable.
- Signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records about them should contact the appropriate system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Any former name, if applicable.
- Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their records should contact the system manager indicated above. Individuals must furnish the

following information for their records to be located and identified:

- a. Full name.
- b. Any former name, if applicable.
- c. Signature.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

RECORD SOURCE CATEGORIES:

- a. The individual to whom the information pertains.
- b. Laboratory reports and test results.
- c. Contract or Health Unit physicians and nurses who have examined, tested, or treated the individual.
- d. The individual's co-workers or supervisors.
- e. The individual's personal physician.
- f. Other Federal employee health units.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-11

SYSTEM NAME:

Training Information System.

SECURITY CLASSIFICATION:

None.

SYSTEMS LOCATION:

A. Offices in Washington, DC: (1) Office of the Deputy Secretary, DOL Academy; and servicing personnel offices located in (2) OASAM, National Capital Service Center; (3) Office of the Solicitor; (4) Bureau of Labor Statistics; (5) Employment Standards Administration; (6) Employment and Training Administration; (7) Occupational Safety and Health Administration; (8) Mine Safety and Health Administration; (9) Office of the Inspector General; and B. OASAM Regional Personnel Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employees who participate in training.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records of training received by individual employees for cost and no cost training.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 5 U.S.C. 4115, and FPM Chapter 410, subchapter 9, as supplemented by the Department's Manual Series Handbook 4-1, (July, 1979).

PURPOSE(S):

To maintain data needed in the preparation of regular reports to the Office of Personnel Management and the Office of Management and Budget.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To prepare statistical reports on training received for agencies and regions.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files and computer system.

RETRIEVABILITY:

By employee's name, social security number and/or course number.

SAFEGUARDS:

Locked storage equipment and secure computer system.

RETENTION AND DISPOSAL:

Disposed of on separation or transfer of the employee.

SYSTEMS MANAGER(S) AND ADDRESS:

Director, DOL Academy; room C5515, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Any individual may inquire whether or not the system contains a record pertaining to her/him by contacting the System Manager.

RECORD ACCESS PROCEDURE:

As specified above in "Notification procedures".

CONTESTING RECORD PROCEDURES:

As specified above in "Notification procedures".

RECORD SOURCE CATEGORIES:

Training requests and follow-up evaluations of training received.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-14

SYSTEM NAME:

Automated Position Control System.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. Offices in Washington, DC:

1. Office of the Secretary of Labor, including:

a. Office of the Assistant Secretary for Administration and Management, (OASAM);

b. Office of the Solicitor of Labor;

c. Office of Public and International Affairs;

d. Bureau of International Labor Affairs;

e. Employees' Compensation Appeals Board;

f. Wage Appeals Board;

g. Benefits Review Board;

h. Office of Administrative Law Judges;

i. Pension Benefit Guaranty Corporation;

j. President's Committee on the Employment of People with Disabilities;

k. National Occupational Information Coordinating Committee;

l. National Commission for Employment Policy;

m. Veteran's Employment and Training Service.

2. Bureau of Labor Statistics;

3. Employment Standards Administration;

4. Office of Labor-Management Services;

5. Employment and Training Administration;

6. Occupational Safety and Health Administration;

7. Mine Safety and Health Administration;

8. Office of the Inspector General;

9. Pension and Welfare Benefits Administration;

10. Bureau of Labor Management Relations and Cooperative Programs.

B. Regional and Area Offices of the above.

C. Other offices of the Department of Labor.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Department of Labor employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Internal reports submitted to prepare the Departmental budget and employment reports. These reports include information such as job title, grade, location, name and social security number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. chapter 301.

PURPOSE:

To prepare the Departmental budget and employment reports.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Reports relate actual employment to monthly ceiling data and must be submitted by the 15th of each month to the Office of Personnel Management (OPM) and to the Office of Management and Budget (OMB). Employment data is shared with OMB and Congress as part of the budget submission process.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files and computer records.

RETRIEVABILITY:

By budget position number, grade and name.

SAFEGUARDS:

Automated data has been password protected. Written employment data is in locked file cabinets.

RETENTION AND DISPOSAL:

Destroy 1 year after the close of the FY.

SYSTEM MANAGER(S) AND ADDRESS:

Heads of agencies or component units within their organizations who have custody of the records. (See the appropriate agency official in the attached listing in appendix I, and at 29 CFR 70a.4.)

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager, the Office's regional office servicing the state where they are employed (see list of the Office's regional addresses in the appendix), or their employing agency's personnel office. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- Social security number.
- Signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

- Full name.

- Date of birth.
- Social security number.
- Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their records should contact the appropriate office listed in the Notification Procedures section. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- Social security number.
- Signature.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

RECORD SOURCE CATEGORIES:

Form DL-50, Notification of Personnel Action.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-15

SYSTEM NAME:

Travel and Transportation System

SECURITY CLASSIFICATION:

None

SYSTEM LOCATION:

A. Offices in Washington, DC:
1. Office of the Secretary of Labor, including:
a. Office of the Assistant Secretary for Administration and Management, (OASAM);
b. Office of the Solicitor of Labor;
c. Office of Public and International Affairs;
d. Bureau of International Labor Affairs;
e. Employees' Compensation Appeals Board;
f. Wage Appeals Board;
g. Benefits Review Board;
h. Office of Administrative Law Judges;
i. Pension Benefit Guaranty Corporation;
j. President's Committee on the Employment of People with Disabilities;
k. National Occupational Information Coordinating Committee;
l. National Commission for Employment Policy;
m. Veteran's Employment and Training Service.

- Bureau of Labor Statistics;
- Employment Standards Administration;
- Office of Labor-Management Services;
- Employment and Training Administration;
- Occupational Safety and Health Administration;
- Mine Safety and Health Administration;
- Office of the Inspector General;
- Pension and Welfare Benefits Administration;
- Bureau of Labor Management Relations and Cooperative Programs.
- Regional and Area Offices of the above.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals who travel in an official capacity for the Department of Labor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Various records are created and maintained in support of official travel. The forms or succeeding forms may include the following:
DL 1-33..... Travel authorization.
SF 1038..... Advance of funds application and account.
SF 1012..... Travel voucher.
DL 1-2014..... Request and authorization for exception from standard contract terms for city-pair service.
DL 1-289..... Request for approval of CSA vehicle option or exemption.
DL 1-473..... Employment agreement for transfers within the continental U.S.
DL 1-474..... Employment agreement for persons assigned to posts outside the continental U.S.
DL-1-2030..... Estimated PCS travel and transportation data for travel authorization.
DL-1-2031..... Claim form for payment of relocation income tax allowance.
DL-1-2032..... Covered taxable reimbursements.
DL-1-2033R..... Withholding tax allowance, summary of transactions, withholding of taxes, and W-2 reporting.
DL 1-472..... Employee application for reimbursement of expenses incurred in sale or purchase (or both) of residence upon change of official station.
SF 1164..... Claim for reimbursement for expenditures on official business.
DL 1-101..... Training authorization and evaluation form.

- DL 1-478..... Administrative exception to travel claim.
 DL 1-423..... Expense record for temporary quarters.
 SF 1169..... Government transportation request.

As a result of travel, individuals may become indebted to the Government. Records used to cure these claims include: commercial credit reports, information or records relating to the debtor's current whereabouts, assets, liabilities, income and expenses, debtor's personal financial statements, and other information such as the nature, amount and history of the debt, and other records and reports relating to the implementation of the Debt Collection Act of 1982, including any investigative reports or administrative review matters.

In order to travel, individuals may avail themselves of charge cards provided by Government contract. Besides the application for such cards, records created include transaction, payment and account status data.

Travel arrangement services are also available by Government contract. Records include traveler's profile containing name of individual, social security number, home and office telephones, agency's name, address, and telephone number, air travel preference, rental car identification number and preference of car, hotel preference, current passport and/or visa number, personal credit card numbers, and additional information; travel authorization; and monthly reports from travel agent(s) showing charges to individuals, balances, and other types of account analyses. Permanent change of station travel arrangements may include information about real estate and movement of household goods.

Vendors and contractors provide to the Department itemized statements of invoices, and reports of transactions including refunds and adjustments to enable audits of charges to the Government.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

41 CFR Part 101-7 (Federal Travel Regulations); interpret or apply 31 U.S.C. 3511, 3512, and 3523; 31 U.S.C. 3711 et seq (Debt Collection Act of 1982); section 206 of Executive Order 11222 (May 8, 1965); 5 CFR 735.207 (Office of Personnel Management Regulations).

PURPOSE:

To facilitate performance of official Government travel by documenting the authorization of travel; payment of advances; payment of claims, invoices, vouchers, judgments, debts created by advance payments and overpayments;

provision and use of government contractor-issued charge cards; and to make travel arrangements.

Data received from a charge card company under government contract will be used to perform responsibilities under section 206 of Executive Order 11222 (May 8, 1965) and 5 CFR 735.207 (Office of Personnel Management Regulations) concerning requirements for employees to pay their just financial obligations in a proper and timely manner. Reports will also be monitored to insure that the charge cards are used only in the course of official travel as required by the contract. Data will also be analyzed to permit more efficient and cost effective travel planning and management, including negotiated costs of transportation, lodging, subsistence and related services.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

A. Transmittal of data to the U.S. Treasury to effect issuance of checks to payees.

B. Pursuant to section 13 of the Debt Collection Act of 1982, the name, address(es), telephone number(s), social security number, and nature, amount and history of the debts of an individual whose travel is handled by DOL may be disclosed to private debt collection agencies for the purpose of collecting or compromising a debt existing in this system.

C. Information may be forwarded to the Department of Justice as prescribed in the Joint Federal Claims Collection Standards (4 CFR chapter II). When debtors fail to make payment through normal collection routines, the files are analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice for litigation.

D. Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal Agencies to effect salary or administrative offsets, or for other purposes connected with the collection of debts owed to the United States.

E. A record from this system may be disclosed to a Federal Agency in response to its request in connection with the hiring/retention of an employee, the letting of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is relevant to the requesting agency's decision on the matter.

F. Information contained in the system of records may be disclosed to the

Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write off a Federal claim against the taxpayer.

G. Information may be disclosed to the Internal Revenue Service concerning the discharge of an indebtedness owed by an individual, or other taxable benefits received by the employee.

H. Information will be disclosed:

1. To a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule regulation, or order, where there is a suspected violation of civil or criminal law.

2. To another Federal agency or a court when the Government is party to a judicial proceeding.

3. To credit card companies for billing purposes.

4. To Departmental and other Federal agencies such as GSA for travel management purposes.

5. To airlines, hotels, car rentals companies and other travel related companies for the purpose of serving the traveler. This information will generally include the name, phone number, addresses, charge card information and itineraries.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status, and history of overdue debts; the name and address, taxpayer identification number (SSN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

Note: Debts incurred by use of the official travel charge card are personal and the charge card company may report account information to credit collection and reporting agencies.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file cabinets. Computer records within a computer and attached equipment.

RETRIEVABILITY:

Filed by name and/or social security number of traveler at each location.

SAFEGUARDS:

Records stored in lockable file cabinets or secured rooms. Computerized records protected by password system. Information released only to authorized officials on a need-to-know basis.

RETENTION AND DISPOSAL:

Records are held for 3 years or until audit whichever is sooner and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Comptroller, Office of the Comptroller, OASAM, Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries from individuals should be addressed to the appropriate agency's administrative office for which they traveled.

RECORDS ACCESS PROCEDURES:

Requests from individuals should be addressed to the appropriate Department of Labor agency's administrative office for which they traveled. Individuals must furnish their full name and the authorizing agency component for their records to be located and identified.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their records should contact the appropriate Department of Labor administrative office of which they traveled. Individuals must furnish their full name and the name of the authorizing agency, including duty station where they were employed when traveling if applicable.

RECORD SOURCE CATEGORIES:

Individuals, employees, other Federal agencies, consumer reporting agencies, credit card companies, government contractors, state and local law enforcement.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-17**SYSTEM NAME:**

Equal Employment Opportunity Complaint Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Directorate of Civil Rights, OASAM, U.S. Department of Labor, room N-4123, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals, classes of individuals, or representatives designated to act on behalf of employees, former employees, or applicants of the Department who have consulted with an EEO Counselor and/or who have filed a formal complaint alleging discrimination on the basis of race, color, religion, sex, national origin, physical or mental handicap, and/or age because of a determination, decision, action, or the nonaction administered against them by a departmental official, and individuals alleging reprisal for having previously participated in the EEO process.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information and/or documents pertaining to pre-complaint processing, informal resolutions, formal allegations of discrimination, and investigations of complaints of discrimination. These records contain complainant's names, addresses, job titles and descriptions, dates of employment; agencies involved; counselor's reports; initial and supplemental allegations; letters and notices to individuals and organizations involved in the processing of the complaint; materials placed into the record to support or refute the alleged decisions; determinations, or actions taken; statements of witnesses; related correspondence; investigative reports, instructions on actions to be taken in order to comply with the provisions of a decision, opinions, recommendations, settlement agreements, proposed and final decisions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11478; Secretary's Order 3-83; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e; the Equal Pay Act, 29 U.S.C. 206(d); the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621; the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; the Civil Service Reform Act of 1978, 5 U.S.C. 1101; and 29 CFR part 1613.

PURPOSE(S):

These records are used to process, investigate and resolve discrimination complaints within the Department.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The records in the complaint file are classified in three categories: Correspondence file, investigative file, and transcripts. Records may be disclosed:

(1) To a designated representative(s) of the complainant when appropriate

and to the extent necessary to process, investigate, resolve, or adjudicate a complaint. Disclosure of memoranda to the file and intra-agency memoranda is discretionary.

(2) To the responding official (RO) consistent with the instructions in EEOC's Complaint Processing Manual which provides that during the investigative process the responding official shall have access to documents in the correspondence file and the investigative file in which the official is identified and charged with discrimination or other wrong-doing. Names of and identifying information on persons other than the complainant and the RO should be deleted from copies of the documents shown to the RO. If the Department issues a final decision on the complaint rejecting the complainant's allegations against the RO, the RO does not have access to the entire complaint file. If the Department's decision concludes or implies impropriety on the part of the RO, the entire complaint file, with names and identifying information deleted where appropriate, must be made available to the RO. If the Department takes or proposes adverse action or other disciplinary action against the RO, the entire complaint file, without deletions, must be made available for his or her review.

(3) To Federal agencies with jurisdiction over a complaint, including the Equal Employment Opportunity Commission, the office of Personnel Management, the Merit Systems Protection Board, the Office of Special Counsel, and the Federal Labor Relations Authority, for investigatory, conciliation or enforcement purposes.

(4) To the Department of Justice for the purpose of obtaining advice regarding the disclosability of particular records pursuant to a Freedom of Information Act request.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained in manual and automated files.

RETRIEVABILITY:

Manual files are indexed by complainant's name and by the office case number. Automated files are retrieved by: Office case number; complainant's name, fiscal year; current status of complaint; region code; issue

code; basis code; agency code; class action; relief code; EOS identification; Investigator identification.

SAFEGUARDS:

Access to the Department of Labor and its annexes is controlled by security guards, and admission is limited to those individuals possessing a valid identification card or individuals who have obtained special permission. Manual records are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel. Automated files are controlled by means of identification numbers and passwords known only to the employees of the Directorate of Civil Rights who are authorized to have access to such files. Statistical information from these records may be made available to departmental officials, other agencies, and to the public without the persons to whom the records pertain being identified.

RETENTION AND DISPOSAL:

Records are retained for a period of four years after the final disposition of a complaint. A permanent alphabetical record is kept of complaints by name of the complainant, giving the basis of the complaint, the matter giving rise to the complaint, and the disposition.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Directorate of Civil Rights, OASAM, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4123, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals or organizations designated to act on behalf of individuals may write the system manager indicated above regarding the existence of records pertaining to them pursuant to 29 CFR part 70a. The inquirers should provide, as appropriate, their full name, the name of the employing agency and/or the agency in which the situation arose, if different than the employing agency, approximate date of filing complaint, region of complaint, last known status of complaint, office case number, the kind(s) of action(s) taken against them, and a notarized signature, or a notarized letter of consent when a person requests access on behalf of the individual who is the subject of the file.

RECORD ACCESS PROCEDURES:

Individuals or organizations designated to act on behalf of an individual wishing to gain access to records covered by the Privacy Act, shall follow the guidelines prescribed by 29 CFR part 70a, summarized here under "Notification procedures."

CONTESTING RECORD PROCEDURES:

Individuals wishing to contest information in their files may, pursuant to 29 CFR 70a.7, write the system manager at the specified address above, reasonably identifying the record pertaining to them, the information which is being contested in that record, the corrective action(s) being sought, and the reasons for the correction(s).

RECORD SOURCE CATEGORIES:

Individual to whom the record pertains; official documents relating to the processing of a complaint, the informal and formal allegations, appeals of departmental decisions; and respondent agency officials, employees, and other witnesses.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption provided by 5 U.S.C. 552a(K) (2), this system of records is exempted from the following provisions of the Privacy Act: (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (F). Information from the complaint file may be denied in anticipation of a civil action or proceeding, in instances where premature release of documents could hamper the decision-making process, where the release of personal information about another employee may result in an invasion of personal privacy, and where release of confidential statements could lead to intimidation of harassment of witnesses and impair future investigations by making it more difficult to collect similar information. Personal information about other employees that are contained in the complainant's file because of its use as comparative data such as: medical records, place and date of birth, age, marital status, home address and telephone numbers, the substance of promotion recommendations, supervisory assessments of professional conduct and ability, may be denied to the subject when it could cause embarrassment and/or harassment to the other employees.

DOL/OASAM-19

SYSTEM NAME:

Negotiated Grievance Procedure and Unfair Labor Practice Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. Offices in Washington, DC: (1) Office of Employee and Labor-Management Relations (OASAM); (2) Office of the Solicitor; (3) Bureau of Labor Statistics; (4) Employment Standards Administration; (5)

Employment and Training Administration; (6) Labor-Management Services Administration; (7) Occupational Safety and Health Administration; (8) Mine Safety and Health Administration; (9) National Capitol Service Center; and B. OASAM Regional Personnel Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employees who have filed grievances under negotiated grievance procedures, and DOL employees who have filed unfair labor practices charges against the Department.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains a variety of records relating to an employee grievance filed under procedures established by labor-management negotiations and unfair labor practice charges filed under the Federal Service Labor-Management Relations Statute. The Records may include information such as: Employee's name, grade, job title, employment history, arbitrator's decision or report, record of appeal to the Federal Labor Relations Authority, and a variety of employment and personnel records associated with the grievance or charge.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 7121 of 5 U.S. Code for grievances, section 7116 of 5 U.S. Code for unfair labor practices, Federal Service Labor-Management Relations Statute and related amendments of 5 U.S. Code 5596(b) for back pay.

PURPOSE:

These records are used to process an employee's grievance filed under a negotiated grievance procedure or an unfair labor practice charge filed by an employee or union.

ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Selected information may be disclosed at appropriate stages of the grievance process to the Office of Personnel Management, arbitrators, the Merit System Protection Board, or the Federal Labor Relations Authority.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual file.

RETRIEVABILITY:

By name and/or case file number.

SAFEGUARDS:

Locked room.

RETENTION AND DISPOSAL:

Records are destroyed 3 years after all administrative remedies have been exhausted.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Employee and Labor-Management Relations, U.S. Department of Labor, room N-5476, 200 Constitution Ave., NW., Washington, DC 20210.

NOTIFICATION PROCEDURES:

Contact system manager at above address.

RECORD ACCESS PROCEDURE:

Contact system manager at above address.

CONTESTING RECORD PROCEDURE:

Contact system manager at above address.

RECORD SOURCE CATEGORIES:

Employee grievances and charges, employee/supervisor interviews, investigative and employment records, and finding of arbitrators and other tribunals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), this system is exempt from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), 3, (d), (e) (1), (4)(G), (H), (I), and (f) of the Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information than that already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information.

DOL/OASAM-20**SYSTEM NAME:**

Personnel Investigation Records.

SECURITY CLASSIFICATION:

None for the system. However, items or records within the system may have national defense/foreign policy classifications up through secret.

SYSTEM LOCATION:

Personnel Security Unit, Office of Executive Personnel Management (OASAM), U.S. Department of Labor, room C-5331, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

- a. Current and former employees or applicants for employment in the Department.
- b. Individuals considered for access to classified information or restricted areas and/or security determinations as contractors, experts, instructors, and consultants to Departmental programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigative files and investigative index card files which pertain to clearance investigations for Federal employment. These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for violations against the law; reports of interviews with present and former supervisors, coworkers, associates, educators, etc; reports about the qualifications of an individual for a specific position and files and index cards relating to adjudication matters; reports of inquiries with law enforcement agencies, employers, educational institutions attended; reports of action after OPM or FBI section 8(d) Full Field Investigation; Notices of Security Investigation; and other information developed from the above.

Note: This system does not apply to records of a personnel investigative nature that are part of the Office of Personnel Management's (OPM) Privacy Act System OPM/CENTRAL-9, Personnel Investigation Records. Access to or amendment of such records must be obtained from OPM.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 10450.

PURPOSE(S):

- The purposes of this system are:
- a. To provide investigatory information for determination concerning compliance with Federal personnel regulations and for individual personnel determinations including suitability and fitness for Federal employment, access and security clearances, evaluations of qualifications, loyalty to the U.S. and evaluations of qualifications and suitability for performance of contractual services for the U.S. Government;
 - b. To document such determinations;
 - c. To provide information necessary for the scheduling and conduct of the required investigations;
 - d. To otherwise comply with mandates and Executive order; and

e. These records may also be used to locate individuals for personnel research.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used in disclosing information:

- a. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia Government, when such agency, office, or establishment conducts an investigation of the individual for the purpose of granting a security clearance, or for the purpose of making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas.
- b. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia Government, having the responsibility to grant clearances to make a determination regarding access to classified information or restricted areas, or to evaluate qualifications, suitability, or loyalty to the United States Government, in connection with performance of a service to the Federal Government under a contract or other agreement.
- c. To the intelligence agencies of the Department of Defense, the National Security Agency, the Central Intelligence Agency, and the Federal Bureau of Investigation for use in intelligence activities.
- d. To any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.
- e. To Federal agencies as a data source for management information through the production of summary descriptive statistics and analytical studies in support of the functions for which the records are maintained or for related studies.
- f. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of office rules and regulations, investigations of alleged or possible

prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

g. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

h. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ASSESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders and on index cards.

RETRIEVABILITY:

Records are received by the name of the individual on whom they are maintained.

SAFEGUARDS:

Folders are maintained in file cabinets secured by three position combination locks. The index to the system and those records which are maintained on index cards are contained in covered and locked rotary Wheelindex machines. All employees are required to have an appropriate security clearance before they are allowed access to the records.

RETENTION AND DISPOSAL:

a. Index cards which show the scheduling or completion of an investigation, and investigative files, if any, are retained for 2 years, plus the current year from the date of the most recent investigative activity. Other index cards which show no investigative record other than the completion of a clear National Agency Check or a clear National Agency Check and Inquiry, and where no investigative file folder exists, are retained for two years plus the current year.

b. Reports of action after OPM or FBI section 8(d) background investigation are retained for the life of the investigative file.

c. Notices of Security Investigations are retained for 20 years. All records are destroyed by burning.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Executive Personnel Management, OASAM, U.S. Department of Labor, room C-5331, 200 Constitution Avenue NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system contains information about them should contact the system manager in writing. Individuals must furnish the following information for their records to be located and identified:

- Full name
- Date of birth
- Social Security Number
- Signature
- Any available information regarding the type of record involved
- The category of covered individuals under which the requester believes he or she fits

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552 a(c)(3) and (d), regarding access to records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of material exempted and the reasons for exempting them from access. Individuals wishing to request access to their records should contact the system manager in writing. Individuals must furnish the following information for their records to be located and identified:

- Full name
- Date of birth
- Social Security Number
- Signature
- Any available information regarding the type of record involved
- The category of covered individuals under which the requester believes he or she fits

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding amendment to records.

The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of material exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment to their non-exempt records should contact the system manager in writing. Individuals

must furnish the following information for their records to be located and identified:

- Full name
- Date of birth
- Social Security Number
- Signature
- Any available information regarding the type of record involved
- The category of covered individuals under which the requester believes he or she fits

RECORD SOURCE CATEGORIES:

Information contained in the system was obtained from the following categories of sources:

- Applications and other personnel and security forms furnished by the individual
- Investigative and other record material furnished by Federal agencies
- Notices of personnel actions furnished by Federal agencies
- By personal investigation or written inquiry from sources such as employers, educational institutions, references, neighbors, associates, police departments, courts, credit bureaus, medical records, probation officials, prison officials, newspapers, magazines, periodicals, and other publications

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system may contain the following types of information:

- Properly classified information, obtained from another Federal agency during the course of a personnel investigation, which pertains to national defense and foreign policy. The Privacy Act, at 5 U.S.C. 552a(k)(1), permits an agency to exempt such materials from certain provisions of the Act.
- Investigatory material compiled for law enforcement purposes in connection with the administration of the merit system. The Privacy Act, at U.S.C. 552a(k)(2), permits an agency to exempt such material from certain provisions of the Act. Application of exemption (k)(2) may be necessary to preclude the data subject's access to and amendment of the record.
- Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such material from certain provisions of the Act. Materials may be exempted to the extent that release of the material to the individual whom the information is about would:

1. Reveal the identity of a source who furnished information to the

Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be in confidence; or

2. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

DOL/OASAM-22

SYSTEM NAME:

Directorate of Civil Rights
Discrimination Complaint Case Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Directorate of Civil Rights, OASAM,
U.S. Department of Labor, room N-4123,
200 Constitution Avenue, NW.,
Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals or classes filing complaints under Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; and section 167 of the Job Training Partnership Act of 1982, as amended, alleging discrimination on the basis of race, color, national origin, age, handicap, sex, religion, citizenship, or political affiliation or belief, or retaliation for having filed a discrimination complaint, furnishing information, or assisting or participating in any manner in an investigation, hearing or any other activity related to the administration of Federal law requiring equal opportunity.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigative records which may include, but is not limited to: materials such as complainants' statements of alleged discrimination, respondents' statements, witnesses' statements, names and addresses of complainants and respondents, personal, employment or program participation information, medical records, conciliation and settlement agreements, related correspondence, and initial and final determinations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-4; section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; the Age Discrimination Act of 1975, 42 U.S.C. 6102; Title IX of the Education

Amendments of 1972, 20 U.S.C. 1681; and the Job Training Partnership Act of 1982, as amended, 29 U.S.C. 1577; 29 CFR parts 31 and 32; and section 5(3) of Secretary's Order 2-81.

PURPOSE(S):

These records are used to initiate a complaint with, or to investigate and resolve discrimination complaints filed with the Department of Labor against recipients of financial assistance from the Department.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records may be disclosed:

(1) To the Equal Employment Opportunity Commission, Department of Justice, Federal Mediation and Conciliation Service, and the Department's Offices of the Solicitor and Administrative Law Judges, when relevant to matters within the jurisdiction of those agencies over a complaint, for investigatory, conciliation, enforcement, or litigation purposes.

(2) To organizations which are recipients of Federal financial assistance and against whom complaints are filed to the extent necessary to effectively represent themselves, provided that the privacy of persons not a party to the dispute is protected.

(3) To the Equal Employment Opportunity Commission, the Department of Justice, the Department of Health and Human Services, and other Federal entities having responsibility for processing and resolving complaints, coordinating civil rights activities and/or preparing reports to Congress.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in manual and automated files.

RETRIEVABILITY:

These records are retrieved by various combination of office case number, complainant's name, fiscal year, current status of complaint, state, basis code, and program code.

SAFEGUARDS:

Access to the Department of Labor and its annexes is controlled by security guards, and admission is limited to individuals possessing a valid

identification card or individuals who have obtained special permission. Manual records are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel. Automated files are controlled by means of identification numbers and passwords known only to the employees of the Directorate of Civil Rights who are authorized to have access to such files. Statistical information from these records may be made available to departmental officials, other agencies, and to the public without the persons to whom the records pertain being identified.

RETENTION AND DISPOSAL:

Manual records are retained for a period of three years after the final disposition of a complaint. They are then retired to the Federal Records Center for two additional years, and then destroyed. Complaints are maintained in the automated file for two years, after which they are stored on disc or tape for three additional years.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Directorate of Civil Rights,
U.S. Department of Labor, 200
Constitution Avenue NW., room N-4123,
Washington, DC 20210.

NOTIFICATION PROCEDURE:

Pursuant to 29 CFR part 70a individuals requesting information or assistance, or making inquiries regarding the existence of records pertaining to them should write the system manager at the address above. Inquiries should include the name of the inquirer, complaint case number, approximate date of filing, if the case number is unknown, name of respondent, last known status of the complaint, and signature. When a request is submitted by mail, the signature of the requester shall be notarized.

RECORD ACCESS PROCEDURE:

An individual or organization representing an individual(s), wishing to gain access to records covered by the Privacy Act shall follow the guidelines set forth under notification procedures summarized above and Departmental regulations at 29 CFR part 70a.

CONTESTING RECORD PROCEDURES:

Individuals wishing to contest information in their files may, pursuant to 29 CFR 70a.7, write the system manager at the specified address above, reasonably identifying the record pertaining to them, the information

which is being contested in that record, the corrective action(s) being sought, and the reason(s) for the correction(s).

RECORD SOURCE CATEGORIES:

Individual complainants and witnesses of the complainants; respondent officials, employees, and witnesses; interrogatories; recipient files and records; and physician's and other medical service provider's records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption provided by 5 U.S.C. 552a(k)(2), this system of records is exempted from the following provisions of the Privacy Act: (c)(3); (d); (e)(1), (e)(4) (G), (H), and (I) and (f). The disclosure of information contained in these files may in some circumstances tend to discourage persons who have knowledge of facts and circumstances pertinent to charges from giving statements or cooperating with investigations. Disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information. In addition, disclosure of medical records contained in these files may adversely affect the health of individuals without guidance of a responsible physician.

DOL/OASAM-23

SYSTEM NAME:

Contracted Travel Service Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system of records is located in the travel agency under contract with a Federal agency and in the administrative offices of Department of Labor agencies. The office in Washington, DC is the Office of the Assistant Secretary for Administration and Management, (OASAM) and in the Regions are OASAM Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals for whom travel is being arranged by the contractor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include traveler's profile which contains name of individual, social security number, home and office telephones, agency's name, address, and telephone number, air travel preference, rental car identification number and preference of car, hotel preference, current passport and/or visa number, personal credit card numbers, and additional information; travel

authorization; and monthly reports from travel agent(s) showing charges to individuals, balances, and other types of account analyses.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 711; interpret or apply 31 U.S.C. 3511, 3512, and 3523.

PURPOSE:

To assemble in one system information to enable travel agents who are under contract to the Federal Government to issue and account for travel provided to individuals.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

- To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule regulation, or order, where the agencies become aware of a violation or potential violation of civil or criminal law or regulation.
- To disclose information to another Federal agency or a court when the Government is party to a judicial proceeding.
- To disclose information to a credit card company for billing purposes.
- To disclose information to a Federal agency for accumulating reporting data and monitoring the system.
- To disclose information to the agency by the contractor in the form of itemized statements of invoices, and reports of all transactions including refunds and adjustments to enable audits of charges to the Government.
- To disclose information credit card, phone numbers, addresses, etc.) to airlines, hotels, car rentals companies and other travel affiliated companies for the purpose of serving the client.
- To disclose personal credit card information to hotels and car rental companies for the purpose of guaranteeing reservations.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file cabinets. Computer records within a computer and attached equipment.

RETRIEVABILITY:

Filed by name and/or social security number of traveler at each location.

SAFEGUARDS:

Records stored in lockable file cabinets or secured rooms. Computerized records protected by password system. Information released only to authorized officials on a need-to-know basis.

RETENTION AND DISPOSAL:

Records kept by the Federal agency are held for 3 years and then destroyed. Records kept by the travel agency are held and destroyed no longer than 3 years.

SYSTEM MANAGER(S) AND ADDRESS:

Comptroller, Office of the Comptroller, OASAM, Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries from individuals should be addressed to the appropriate agency's administrative office for which they traveled.

RECORDS ACCESS PROCEDURES:

Requests from individuals should be addressed to the appropriate Department of Labor agency's administrative office for which they traveled. Individuals must furnish their full name and the authorizing agency component for their records to be located and identified.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their records should contact the appropriate Department of Labor administrative office for which they traveled. Individuals must furnish their full name and the name of the authorizing agency, including duty station where they were employed when traveling if applicable.

RECORD SOURCE CATEGORIES:

Individuals, employees, travel authorization, credit card companies.

EXEMPTION FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OASAM-24

SYSTEM NAME:

Privacy Act/Freedom of Information Act Requests Files Systems.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. Offices in Washington, DC, (1) Office of the Secretary of Labor, including (a) Office of the Assistant Secretary for Administration and

Management, (b) Office of the Solicitor of Labor, (c) Office of Public and Intergovernmental Affairs, (d) Office of Small and Disadvantaged Business Utilization, (e) Bureau of International Labor Affairs, (f) Employees' Compensation Appeals Board, (g) Wage Appeals Board, (h) Benefits Review Board, and (i) Office of Administrative Law Judges; (2) Office of Pension and Welfare Benefits Administration; (3) Office of Labor-Management Standards; (4) Bureau of Labor-Management Relations and Cooperative Programs; (5) Bureau of Labor Statistics; (6) Employment and Training Administration; (7) Employment Standards Administration; (8) Occupational Safety and Health Administration; (9) Mine Safety and Health Administration; (10) Office of the Inspector General; (11) Office of Veterans Employment and Training Services.

B. Regional Offices of the above.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have submitted Privacy Act and Freedom Of Information Act requests under (5 U.S.C. 552a and 552).

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records of requests, responses, and related documents for:

- (a) Information under the provisions of the FOI Act (5 U.S.C. 552); and
- (b) Information under provisions of the Privacy Act (5 U.S.C. 552a) for:
 - (1) Notification of the existence of records about them;
 - (2) Access to records about them;
 - (3) Amendment of records about them;
 - (4) Review of initial denials of such requests for notification, access, or amendment; and
 - (5) Requests for an accounting of disclosure of records about them.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Privacy Act of 1974 (5 U.S.C. 552a); the Freedom of Information Act (5 U.S.C. 552); and 5 U.S.C. 301.

PURPOSES:

This system of records is maintained for various reasons as follows:

- a. To process individual's requests made under the Privacy Act and the Freedom of Information Act.
- b. To provide a record of communication between the requester and the agency.
- c. To ensure that all relevant, necessary, and accurate data are available to support any process for appeal.

d. To provide a legal document to support any process for appeal.

e. To prepare the annual reports to OMB and Congress as required by the Privacy and Freedom of Information Acts.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, and information in these records, may be used: a. To disclose information to the Office of Management and Budget at any state in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

b. To disclose information to Federal agencies (e.g., Department of Justice) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence, for use by the Office in making required determinations under the Freedom of Information Act or the Privacy Act of 1974.

c. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and to identify the type of information requested), where necessary to obtain information relevant to an Office decision concerning a Privacy or Freedom of Information Act request.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

f. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

g. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination complaints in the Federal sector, examination of Federal

Affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

h. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders.

RETRIEVABILITY:

These records are retrieved by name of individual making request and by date of request.

SAFEGUARDS:

These records are located in lockable metal filing cabinets with access limited to personnel whose duties require access.

RETENTION AND DISPOSAL:

Destroyed two years after response date if no denial was involved. Destroyed five years after response date if denial of records was involved.

SYSTEM MANAGER(S) AND ADDRESS:

Heads of agencies or component units within their organizations who have custody of the records. (See the appropriate Agency Official in the listing in appendix I, and at 29 CFR 70a.4.)

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the appropriate office or region where their original Privacy Act or Freedom of Information Act request was sent, or where they received responses to such requests.

RECORD ACCESS PROCEDURE:

A request for access shall be addressed to each facility to which the requester has submitted a Freedom of Information Act or Privacy Act request.

Note: Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Approximate dates of Privacy Act/FOI Act correspondence between the Department of Labor and the individual.
- c. Individuals requesting access must also comply with the Privacy Act regulations regarding verification of identity and access to records at [29 CFR 70a.4].

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the System Manager and must meet the content requirements of 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

Information in this system of records comes from:

- a. The individual who is the subject of the records.
- b. Official personnel documents of the agency, including records from any other agency system of records included in this notice.
- c. Agency officials who respond to Privacy Act/FOI Act requests.
- d. Other sources whom the agency believes have information pertinent to an agency decision on a Privacy Act or Freedom of Information Act request.
- e. Other Federal agencies referring the request to the Department of Labor.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Department of Labor has claimed exemptions for several of its other systems of records under 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6). During the course of a PA/FOIA action, exempt materials from those other systems may become part of the case record in this system. To the extent that copies of exempt records from those other systems are entered into these PA/FOIA case records, the Department has claimed the same exemptions for the records as they have in the original primary system of records of which they are a part.

DOL/OASAM-25**SYSTEM NAME:**

Intergovernmental Personnel Act Assignment Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

A. In Washington, DC: (1) OASAM, Office of Employment and Training; and personnel offices located in (2) OASAM, National Capital Service Center; (3) Office of the Solicitor; (4) Bureau of Labor Statistics; (5) Employment Standards Administration; (6) Employment and Training

Administration; (7) Occupational Safety and Health Administration; (8) Mine Safety and Health Administration; (9) Office of the Inspector General; and B. OASAM Regional Personnel Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current or former State or local government agency or educational institution employees, employees of Indian tribal governments, or other organizations who have completed or are presently on an assignment in a DOL agency under the provisions of IPA.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records consist of a copy of the individual's IPA agreement between a DOL agency and a State or local government, educational institution, Indian tribal government, or other organization; biographical and background information about the assignees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Intergovernmental Personnel Act of 1970. (5 U.S.C. 3371 through 3376)

PURPOSE(S):

These records are maintained to document and track mobility assignments under IPA.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained in file folders.

RETRIEVABILITY:

By the name of the individual.

SAFEGUARDS:

Files are maintained in an area with limited access.

RETENTION:

Records are retained for a period of 2 years following the completion of the assignment.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Employment and Training, room N-5476, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wanting to inquire whether this system contains

information about them should contact the servicing personnel office.

RECORDS ACCESS PROCEDURES:

Contact the servicing personnel office.

CONTESTING RECORD PROCEDURES:

Contact the servicing personnel office.

RECORDS SOURCE CATEGORIES:

Information provided by the assignee, and by officials in DOL agencies, State and local government, educational institutions, Indian tribal governments and other organizations where the assignee is employed.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OAA-1**SYSTEM NAME:**

Administrative Appeals File—DOL OAA-1.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Administrative Appeals, U.S. Department of Labor, room S-4309, 200 Constitution Ave., NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Parties in cases which are before the Secretary, Deputy Secretary or other deciding officials of the Department and for which OAA is assigned responsibility.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information assembled in case files pertaining to proceedings relating to administrative adjudications of orders and decisions issued by Departmental officials and Administrative Law Judges.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Surface Transportation and Assistance Act, 49 U.S.C. app. 2305 (1982); Energy Reorganization Act of 1974, as amended, 42 U.S.C. 5851 (1982); Clean Air Act, 42 U.S.C. 7622 (1982); Water Pollution Control Act, 33 U.S.C. 1367 (1982); Solid Waste Disposal Act, 42 U.S.C. 6971(a) (1982); Safe Drinking Water Act, 42 U.S.C. 300i-9(i) (1982); Toxic Substances Control Act, 15 U.S.C. 2622 (1982); Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. 9610 (1982); Comprehensive Employment and Training Act, as amended, 29 U.S.C. 801-999 (Supp. V 1981); Job Training Partnership Act, 29 U.S.C. 1501-1781

(1982); Service Contract Act of 1965, as amended, 41 U.S.C. 351-358 (1982); Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1813(b), 1853(b) (1982); Longshore and Harbor Workers Compensation Act, 33 U.S.C. 901 (1982); The Walsh-Healy Public Contracts Act, as amended, 41 U.S.C. 35-45 (1982).

PURPOSE:

Maintained for use in adjudication of cases.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are for the adjudication of cases by the Secretary, Deputy Secretary or other deciding official. Disclosures outside the Department of Labor may be made to District Courts or Courts of Appeals, parties and others that are related to litigation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in manual form in file folders and containers, and in a computer system.

RETRIEVABILITY:

Indexed by name of complainant, respondent, and docket number.

SAFEGUARDS:

Maintained with safeguards meeting the requirements of 29 CFR part 70a.

RETENTION AND DISPOSAL:

Case records are returned to Office of Administrative Law Judges after completion of OAA function. A file containing copies of decisions, orders and OAA correspondence related to the case is retained in the office files. OAA retains case record of cases not arising from ALJ decisions.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Administrative Appeals, room S-4309, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries regarding records should be in the form of a written, signed request to the above address.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Records include information submitted by claimants, respondents, other parties in the case, Administrative Law Judges, government representatives and the deciding official.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/OALJ-1

SYSTEM NAME:

Administrative Law Management System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

U. S. Department of Labor, Office of Administrative Law Judges (OALJ), Vanguard Building, Suite 700, 1111 20th Street, NW., Washington, DC 20036

CATEGORY OF INDIVIDUALS COVERED BY THE SYSTEM:

Claimants under statutory and Executive Order jurisdiction assigned to the OALJ.

CATEGORY OF RECORDS IN THE SYSTEM:

Compensation claim file, including medical and legal reports, correspondence, memoranda and court transcript information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title IV of the Federal Mine Safety and Health Act of 1977, as amended. 33 U.S.C., section 901, et seq.

PURPOSE(S):

Primary use of records is for tracking each case through the disposition processes by Administrative Law Judges.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files and computer system.

RETRIEVABILITY:

By name or Social Security Number.

SAFEGUARDS:

Routine computer precautions limiting access to authorized user codes.

RETENTION AND DISPOSAL:

Inactive records retained in system for two years before being purged to history files where they are stored for 5 years, then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Program Operations, U.S. Department of Labor, Office of Administrative Law Judges, Suite 700, 1111 20th Street, NW., Washington, DC 20036

NOTIFICATION PROCEDURES:

Inquiries regarding the existence of records should be in the form of a written, signed request to the above address.

RECORD ACCESS PROCEDURES:

As in notification procedures.

CONTESTING RECORD PROCEDURES:

As in notification procedures.

RECORD SOURCE CATEGORIES:

Individual filing the claim for benefits and the Administrative Law Judges involved in the judicial process of the case.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ASP-1

SYSTEM NAME:

Seasonal Agricultural Services (SAS) Farmworker Research File, Case Tracking Files, Name Index, USDOL/ASP.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of the Assistant Secretary for Policy, DOL, 200 Constitution Avenue, NW., Washington, DC 20210, and in the office of the system co-manager, Aguirre International, 411 Borel Avenue, Suite 402, San Mateo, CA, 94402.

CATEGORIES OF INDIVIDUAL COVERED BY THE SYSTEM:

The respondents in the National Seasonal Agricultural Services Farmworker Survey (SAS Farmworker Survey). These will be randomly selected individuals who are engaged in SAS activities. See USDA Regulations at 52 FR 20372, June 1, 1987 for definition of SAS activities. There will be approximately 8,750 individuals included in the file during its existence from July, 1988 to October, 1992.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system will contain records of the employment history of SAS farmworkers and their families. It will also contain information about the wages, working conditions and recruitment procedures experienced by SAS farmworkers. The records will contain the name, Social Security Number (SSN), and addresses of the respondents in the SAS Farmworker Survey. All of this data will have been obtained in a personal interview with the respondents. In addition, data obtained about the work record of the respondents (as recorded in their SSN records) obtained from State Employment Security Agencies may be included for many of these individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 210A(a)(5)(B)(i) of the Immigration and Nationality Act as amended by section 303 of the Immigration Reform and Control Act (IRCA) of 1986. The law has been codified at 8 U.S.C. 1161.

PURPOSE(S):

The information held in this system will be used exclusively by the Department of Labor for the estimate of the supply of workers needed in Fiscal Years, 1990, 1991, 1992 and 1993 as prescribed by IRCA (section 303). The data will not be used for enforcement activities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

In the initial stages the information will be stored on interview questionnaires which will be handled by Aguirre International of San Mateo California. This company will transfer the questionnaires as quickly as possible to their San Mateo Offices where they will be kept in locked filing cabinets. The information will be entered onto computer and stored on computer tape by Aguirre and by the Assistant Secretary for Policy's office. The computer records will be kept in locked file cabinets at all times.

RETRIEVABILITY:

The names of the respondents will be retrievable since the computer files and

the questionnaires will be cross-indexed.

SAFEGUARDS:

Only employees of Aguirre International or the Office of the Assistant Secretary for Policy will have access either to the hard copy or computer tapes. The records will only be accessible through use of confidential procedures and passwords.

RETENTION AND DISPOSAL:

These files will be kept during the statutory period of their utility for labor supply estimates required by IRCA. If these provisions are not renewed by Congress, the records will be destroyed in October, 1992.

SYSTEM MANAGER(S) AND ADDRESSES:

Assistant Secretary for Policy, DOL, 200 Constitution Avenue, NW., Washington, DC 20210, and in the office of the system co-manager, Aguirre International, 411 Borel Avenue, Suite 402, San Mateo, CA. 94402.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the office of one of the co-system managers. Individuals must furnish the following information for their records to be located and identified:

- Full name.
- Date of birth.
- Social Security Number.
- Place where interview occurred.
- Signature.

RECORD ACCESS PROCEDURES:

Individual farmworkers seeking to look at their own files will be permitted access. All other individuals will be denied access. Individuals wishing to request access to their own records should contact one of the co-system managers and include in their request the identification data required in the Notification Procedure section.

CONTESTING RECORD PROCEDURES:

To seek amendment of record procedures individuals should direct their requests to one of the co-system managers and include all the personal identification information required for the Notification Procedure.

RECORD SOURCE CATEGORIES:

The information in this system will be received from respondents answers to questions about their own employment histories. In addition, employment data from UI files may be included in the file for each individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BRB-1**SYSTEM NAME:**

Appeals Files—Benefits Review Board (BRB).

SYSTEM LOCATION:

Benefits Review Board, 1111 20th Street, NW., Suite 757, Washington, DC 20036.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individual persons involved in appeals proceedings before the Benefits Review Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information assembled in case files pertaining to hearings proceedings and appeals to the Benefits Review Board relating to appeals raising a substantial question of law or fact taken by any party in interest from decisions with respect to claims of employees for benefits under the Longshoremen's and Harbor Workers' Compensation Act as amended, and its extensions and the Federal Coal Mine Health and Safety Act, as amended.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

(a) 30 U.S.C. secs. 901-62 (1982), (b) 33 U.S.C. secs. 901-50 (1982), (c) 42 U.S.C. secs. 1651-54 (1982), (d) 36 D.C. Code secs. 501-04 (1973) (e) 43 U.S.C. secs. 1331-43 (1982), (f) 5 U.S.C. secs. 8171-73 (1982), (g) 42 U.S.C. secs. 1701-17 (1982)

PURPOSE:

To have a centralized and complete file of all appeals arising before the Board.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are for the adjudication of issues in appeals proceeding before the Benefits Review Board. Disclosure outside the Department of Labor may be made to federal courts.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Maintained in manual form in file folders.

RETRIEVABILITY:

Indexed by Benefits Review Board docket number and claimant's name.

SAFEGUARDS:

Maintained with safeguards meeting the requirements of applicable regulations.

RETENTION AND DISPOSAL:

Case materials returned to the Office of Workers' Compensation Programs, Employment Standards Administration, Department of Labor after completion of Benefits Review Board functions. Records of decisions not authorized for disposal.

SYSTEM MANAGER(S) AND ADDRESS:

Clerk of the Board, Benefits Review Board, 1111 20th Street, NW., Suite 757, Washington, DC 20036.

NOTIFICATION PROCEDURE:

A written and signed request to the System Manager stating that the requester seeks information concerning records pertaining to him is required.

RECORD ACCESS PROCEDURES:

A request for access may be addressed to the System Manager. The request must be in writing and be signed by the requester.

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the System Manager.

RECORD SOURCE CATEGORIES:

Records in the system include information submitted by the appellants, claimants, and other persons involved in the appeals proceedings, as well as by the Government.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLMRCP-1**SYSTEM NAME:**

Lists of Airline Employees Protected Under the Rehire Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Bureau of Labor-Management Relations and Cooperative Programs (BLMRCP), room N5416, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees of covered air carriers who are protected under the Airline Employee Protection Program. (Covered air carrier means, whenever used in this

notice, an air carrier which held a certificate under Section 401 of the Federal Aviation Act of 1958, as amended, prior to October 24, 1978).

CATEGORIES OF RECORDS IN THE SYSTEM:

Lists that contain employees' names, social security numbers (if available), occupational specialties and reporting covered carrier.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 95-504, 49 U.S.C. 1552.

PURPOSE:

The lists will assist covered air carriers in verifying job applicants' protected status.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information may be disclosed to covered air carriers that have a duty to hire protected employees in order for those carriers to verify the protected status of job applicants. Information may also be disclosed to protected employees, labor organizations of protected employees to the extent necessary to determine and enforce the rights of protected employees under the Act.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISCLOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic tape and paper copy.

RETRIEVABILITY:

Alphabetically by covered carrier and name of employee.

SAFEGUARDS:

The records will be maintained in locked storage in BLMRCP, accessible only to authorized personnel during working hours.

RETENTION AND DISPOSAL:

Records will be retained until they can be incorporated into the records disposition schedule of BLMRCP.

SYSTEMS MANAGER(S) AND ADDRESS:

Program Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains

information about them should contact the system manager.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to the records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of the records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

RECORD SOURCE CATEGORIES:

Covered air carriers.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLMRCP-2**SYSTEM NAME:**

Semi-Annual Lists of Hired Employees.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Bureau of Labor-Management Relations and Cooperative Programs (BLMRCP), room N5416, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees hired by covered air carriers during each 6 month period who are protected under the Airline Employee Protection Program. (Covered air carrier means, whenever used in this notice, an air carrier which held a certificate under section 401 of the Federal Aviation Act of 1958, as amended, prior to October 24, 1978.)

CATEGORIES OF RECORDS IN THE SYSTEM:

Lists of protected employees' names, social security numbers (if available), occupational specialties, dates or hire for each position filled, and reporting covered air carrier.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 95-504, 49 U.S.C. 1552.

PURPOSE:

These lists will assist covered carriers in verifying job applicants' protected status.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Opinion letters may be sent to other parties of each application in order to gather complete information for the opinion. Information also may be disclosed to airline employees, labor organizations of protected employees, authorized representatives of airline employees, and covered air carriers to the extent necessary to determine and enforce the rights of protected employees under the Act.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic disks and manual files.

RETRIEVABILITY:

Name of employee and case control number, if any.

SAFEGUARDS:

The records will be maintained in locked storage in BLMRCP, accessible only to authorized personnel during working hours.

RETENTION AND DISPOSAL:

Records will be retained until they can be incorporated into the records disposition schedule of BLMRCP.

SYSTEMS MANAGER(S) AND ADDRESS:

Programs Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to the records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of the records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

RECORD SOURCE CATEGORIES:

Covered air carriers, protected employees, authorized representatives of protected employees and labor organizations of protected employees.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLMRCP-3**SYSTEM NAME:**

Rehire Program Appellant and Inquiry Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Bureau of Labor-Management Relations Cooperative Programs (BLMRCP), room N5416, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Airline employees who request the Secretary of Labor to determine whether they are protected employees under section 43(d) of the Airline Deregulation Act of 1978, as amended, and may be entitled to benefits under the Rehire Program. Other airline employees and interested parties seeking interpretations under the Rehire Program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Letters of appeal and inquiry and relevant documents from appellants and other parties, such as employing carrier, and agency reports and opinions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 95-504, 49 U.S.C. 1552.

PURPOSE:

The list will assist covered air carriers in verifying job applicants' protected status.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information may be disclosed to covered air carriers that have a duty to hire protected employees to permit those carriers to verify the protected status of job applicants. Information may also be disclosed to protected employees, labor organizations of protected employees, and authorized representatives of protected employees, to the extent necessary to determine and enforce the rights of protected employees under the Act.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The lists of protected employees will be stored on paper printout in BLMRCP. All other records will be kept in manual files.

RETRIEVABILITY:

All records will be accessed by covered carrier, occupational specialty and name of employee.

SAFEGUARDS:

The records will be maintained in locked storage in BLMRCP, accessible only by authorized personnel during working hours.

RETENTION AND DISPOSAL:

Records will be retained until they can be incorporated into the records disposition schedule of BLMRCP.

SYSTEMS MANAGER(S) AND ADDRESS:

Program Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to the records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of records should contact the Disclosure Officer, Airline Employee Protection Program, room N5416, BLMRCP, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

RECORD SOURCE CATEGORIES:

Covered air carriers and employees.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLMRCP-4**SYSTEM NAME:**

BLMRCP, Redwood Employee Protection Program, Health, Welfare, and Pension Claims and Benefits Payments (including severance benefits and benefits for salary replacement, retraining, job search and relocation).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Bureau of Labor-Management Relations and Cooperative Programs (BLMRCP), room N5416, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Those applying for benefits/filing claims under the Redwood Employee Protection Program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Financial records consisting of weekly requests from claimants for Redwood benefits from the California Employment Development Department. Medical records consisting of actual claims from individuals and medical providers and including dates of service, patient name, social security number, diagnosis, and payment. Personal records including name of claimant, former employer, social security number, date of birth and dates of eligibility.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Redwood National Park Expansion Act, Pub. L. 95-250, 92 Stat. 172 (1978).

PURPOSE(S):

Records are used for verification and payment of health, welfare, and pension benefits and payment of benefits through the U.S. Treasury.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information can be shared with the following agencies: California Employment Development Department; all participating and nonparticipating Health & Welfare Trusts, Administrators, and Pension Insurance Carriers; and other interested parties (e.g., hospitals and medical providers) in order for those agencies to verify eligibility of claimants and payment of health, welfare, and pension benefits.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained in manual files.

RETRIEVABILITY:

Records are accessed alphabetically by claimant's name.

SAFEGUARDS:

Records are only accessible during normal business hours and maintained in a locked room at all other times.

RETENTION AND DISPOSAL:

Records are closed when claimant retires or accepts severance pay or exhausts period of protection and receives pension entitlements. Records are transferred to the Federal Archives and Record Center when one year old and destroyed when five years old.

SYSTEM MANAGER(S) AND ADDRESS:

Program Officer, Redwood Employee Protection Program, room N5411, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals who apply for benefits under the Redwood Employee Protection Program may contact the system manager regarding the existence of records about them. An individual must furnish his/her full name to access these records and may volunteer his/her social security number to facilitate the identification and location of his/her file.

RECORD ACCESS PROCEDURES:

Individuals who apply for benefits under the Redwood Employee Protection Program health and welfare program may contact the system manager to request access to records about them. An individual must furnish his/her full name to access these records and may volunteer his/her social security number to facilitate the identification and location of his/her file.

CONTESTING RECORD PROCEDURES:

Individuals who wish to amend their records to correct factual errors should contact the system manager. An individual must furnish his/her full name for the records to be located and identified.

RECORD SOURCE CATEGORIES:

The information in this system is obtained from the following sources:

- The individual to whom the information pertains;
- California Employment Development Department;

- NUMAS, Inc., claims processing contractor;
- Providers of medical service; and/or
- Claimants' former employers and trust administrators.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-2**SYSTEM NAME:**

Staff Utilization System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records stored on computer at Boeing Computer Center, Vienna, VA. Access and maintenance occur by remote terminal in room 1066, GAO Building, 441 G St., NW., Washington, DC 20212.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Regular full- and part-time and intermittent employees in the BLS National and Regional Offices.

CATEGORIES OF RECORDS IN THE SYSTEM:

Payroll, accounting and staff utilization data: Name, SSN, grade and step, cost center, PAS home code, staff hours by PAS code, by function and by task (function and task specified by each office).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S)

To capture and electronically enter time distribution data into the DOL Time Distribution and Accounting Systems. To provide BLS managers a means of monitoring staff hours and pay on assigned functions and tasks.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic disk packs.

RETRIEVABILITY:

Retrievable by any element, including name and SSN.

SAFEGUARDS:

Data on private disk, accessible only by authorized employees.

RETENTION AND DISPOSAL:

Cumulative file is retained by fiscal year. Original input documents are retained for 4 years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Management Information Systems, room 2518, GAO Building, 441 G St. NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to System Manager at above address. Give name, SSN, and dates of employment.

RECORD ACCESS PROCEDURES:

As above.

CONTESTING RECORD PROCEDURES:

As above.

RECORD SOURCE CATEGORIES:

Input from DOL bi-weekly payroll tape and time distribution forms (DL 1-129, "Project Reporting Form").

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-3**SYSTEM NAME:**

Regional Office Staff Utilization File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records stored on computer at The National Institutes of Health, Bethesda, MD Access and maintenance is generally by remote terminal in room 2747, GAO Building, 441 G St., NW., Washington, DC 20212.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All regular regional office BLS employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Staff utilization and travel expenditures data: Name, SSN, pay period, hours worked and units accomplished by PAS code for functions such as personal visit, telephone collection, training, and cost for transportation and subsistence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To capture and electronically enter time distribution data into the DOL Time Distribution and Accounting Systems. To provide BLS managers a means of monitoring regional staff hours

worked per unit and travel expenditures on assigned functions and tasks.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic tapes and disks.

RETRIEVABILITY:

Retrievable by a data field, including name and SSN.

SAFEGUARDS:

Only authorized employees have access to tapes/disks, to the programs, and to the Regions' backup documents.

RETENTION AND DISPOSAL:

Cumulative file is retained by fiscal year. Original input documents are retained for 4 years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Field Collection Activities, room 2870, GAO Building, 441 G St., NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to System Manager at above address. Give name, SSN, and dates of employment.

RECORD ACCESS PROCEDURES:

As above.

CONTESTING RECORD PROCEDURES:

As above.

RECORD SOURCE CATEGORIES:

"Staff Utilization Report (form number SO-1) filled out each pay period by each R.O. employee (in place of the DL 1-291, "Project Reporting Form") and SF-1012 (Travel Voucher).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-4**SYSTEM NAME:**

Business Research Advisory Council.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room 2829, GAO Building, 441 G St., NW., Washington, DC 20212

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present members of the Business Research Advisory Council.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical information on individuals who are or have been members or are being considered for membership in BRAC.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To insure that all appropriate records are retained and are available for official use.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCY:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual file.

RETRIEVABILITY:

Retrievable by name.

SAFEGUARDS:

Maintained by liaison for BRAC. Only authorized employees have access to file.

RETENTION AND DISPOSAL:

Records transferred to National Archives 5 years after member resigns from council.

SYSTEM MANAGER(S) AND ADDRESS:

Liaison, Business Research Advisory Council, room 2126, GAO Building, 441 G St. NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to System Manager at above address.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

From individuals concerned.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-5**SYSTEM NAME:**

Labor Research Advisory Council.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room 2829, GAO Building, 441 G St., NW., Washington, DC 20212

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Past and present members of the LRAC and persons being considered for membership.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical information on individuals who are or have been members or are being considered for membership.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To insure that all appropriate personal records are retained and are available for official use.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCY:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

File cabinets and bookcases.

RETRIEVABILITY:

Retrievable by individual name.

SAFEGUARDS:

Maintained by liaison for BRAC. Only authorized employees have access.

RETENTION AND DISPOSAL:

Files are retained as long as the member is serving on the committee and disposed of 3 years after they have resigned from the committee.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Commissioner, Office of Publications, room 2822, GAO Building, 441 G St. NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to System Manager at above address.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Biographical data received from the members of LRAC, and minutes from meetings that are held twice a year.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-6**SYSTEM NAME:**

Applicant Race and National Origin (ARNO) System. Form 618.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room 2827, GAO Building, 441 G St., NW., Washington, DC 20212.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Job applicants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Applicant race and National origin data: Records which contain Name, SSN, grade, title of position, location of position, race, occupational code, date received, RNO Code, title of announcement, number of announcement, authorization number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To comply with the data collection requirements of the Luevano V. Devine decree (November 19, 1981) for applicants. See Civil Service Action Number 79-0271.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Users—OPM; to develop statistical reports on the number and race of applicants.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic disk packs.

RETRIEVABILITY:

Retrievable by any element, including name and SSN.

SAFEGUARDS:

Only authorized employees have access.

RETENTION AND DISPOSAL:

Cumulative file is retained by fiscal year until all research is completed, then it is destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Personnel Officer, Division of Personnel and or Management, room 2827, GAO Building, 441 G St. NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Requests should be submitted to above address.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Input from Form E 618, Applicant Race and National Origin Questionnaire.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/BLS-7**SYSTEM NAME:**

BLS Employee Conduct Investigation.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Offices in the Bureau of Labor Statistics at the National Office and in each of the eight Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

BLS employee(s) against whom any allegations of misconduct, illegal acts, conflicts of interest, etc., have been made.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, organization and other information relating to the individual involved. It also contains investigative report(s) associated with the case, including interviews and other confidential data gathered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

These records are maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest, etc., are retained and are available to agency, Departmental, or other Federal officials having a need for the information in the performance of their official duties and to support actions taken based on the records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Disclosure to other Federal agencies, including the Department of Justice, the FBI, and to any other Federal, State, and local government responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (2) to a Federal agency which has requested information relevant to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are stored in file folders in metal cabinets.

RETRIEVABILITY:

Filed by name or other identifying code such as case file number.

SAFEGUARDS:

The files are maintained in locked file cabinets with access only to those with a need to know the information to perform their duties.

RETENTION AND DISPOSAL:

Completed investigations are disposed of after 20 years. Matters not subject to full investigations are disposed of after 10 years.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Personnel and Organization Management, 441 G Street, NW., Washington, DC 20212, and appropriate Regional Offices.

NOTIFICATION PROCEDURE:

Inquiries should be mailed or presented to the system manager noted at the address listed above.

RECORD ACCESS PROCEDURES:

As noted in notification procedure.

CONTESTING RECORD PROCEDURES:

As noted in notification procedure.

RECORD SOURCE CATEGORIES:

Hotline complaints through the Office of the Inspector General's hotline; hotline complaints through the General Accounting Office's hotline system; incident reports submitted by other employees; and investigative reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), exempting this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), 3, (d), (e) (1), (4) (G), (H), (I), and (f) of the Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information than already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information.

DOL/BLS-8

SYSTEM NAME:

BLS Employee ADP Training History.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Offices in the Bureau of Labor Statistics National Office.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

BLS employees who take training under BLS's ADP training contract.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employee name, employee organization, course taken, course start date, course end date, total hours for course, indication whether or not the course was completed, and cost of the course for this student to the student's organization.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

The records are maintained to enable BLS to allocate costs of training to appropriate organization within BLS and to enable employees' managers and employees to determine what courses employees have taken.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The paper records are stored in file folders in metal cabinets. Machine-readable versions of the records are kept in a microcomputer database.

RETRIEVABILITY:

Filed and retrieved by course title or other identifying codes such as course number. Also, filed and retrieved by the name of employee attending course.

SAFEGUARDS:

The files are maintained in locked file cabinets with access only to those with a need to know the information to perform their duties. Machine readable data will be limited to those on a need to know basis.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Systems Design, 441 G St. NW., Washington, DC 20212.

NOTIFICATION PROCEDURE:

Inquiries should be mailed or presented to the system manager noted at the address noted above.

RECORD ACCESS PROCEDURES:

As noted in notification procedure.

CONTESTING RECORD PROCEDURES:

As noted in notification procedure.

RECORD SOURCE CATEGORIES:

Application for Training forms such as DL-101 or other application forms BLS may designate. Certificates of course completion.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL-ECAB-01

SYSTEM NAME:

Employees' Compensation Appeals Board Docket Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Former or current Federal employees appealing final decisions of the Office of Workers' Compensation Programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Documents pertaining to appeals of final decisions rendered by the Office of Workers' Compensation Programs arising under the Federal Employees Compensation Act, including incoming and outgoing correspondence, a summary of processing transactions, pleadings, motions, orders, and final disposition.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 8101 *et seq.*

PURPOSE(S):

To maintain formal records of appeals and track appeals through processing and disposition operations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to officers and employees of the Department of Labor having need for access to the record in the performance of their duties.

1. Reply to correspondence pertaining to pending appeals and their disposition.
2. Adjudicate and determine issues raised on appeal.

3. Disclosure outside the Department of Labor may be made to the Department of Justice when related to litigation or anticipated litigation; information indicating a violation or potential violation of a statute, regulation, rule, order or license, may be made to appropriate Federal, State or local agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Maintained in manual hard copy form in file folders; summary data maintained in computer based case tracking system.

RETRIEVABILITY:

Indexed by ECAB Docket case number, can be cross-referenced to individual's name.

SAFEGUARDS:

Manual Docket records are maintained in a separate file room with access restricted to ECAB employees. Manual records may be reviewed only by Federal employees with a work related need for access and to the appellant or an authorized

representative upon presentation of appropriate identification. Standard computer operating procedures restrict access of computer data to authorized users with proper password.

RETENTION AND DISPOSAL:

Manual Docket records are retired to the National Records Center after three years; they are destroyed after 20 years. Historical computer records are stored on diskette in a locked cabinet.

SYSTEM MANAGER AND ADDRESS:

Clerk of the Board, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries regarding records should be in the form of a written, signed request to the System Manager at the above address and should specify the ECAB Docket number.

RECORD ACCESS PROCEDURE:

Information or assistance regarding access to ECAB Docket records may be obtained by contacting the Clerk of the Board, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210 or by telephoning (202) 472-2782.

CONTESTING RECORD PROCEDURES:

Individuals who wish to contest their records should notify the System Manager in writing.

RECORD SOURCE CATEGORIES:

Records in this system contain information supplied by the appellant and Government officials involved in the appeals proceedings.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL-ECAB-02**SYSTEM NAME:**

Employees' Compensation Appeals Board Disposition Records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Former or current Federal employees who appealed final decisions of the Office of Workers' Compensation Programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Final decisions and/or orders determining appeals of benefits claims under the Federal Employees' Compensation Act.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 8101 *et seq.*

PURPOSE(S):

To maintain formal records of appeal dispositions determined by the Employees' Compensation Appeals Board.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Board final decisions and/or orders are public documents and are accessible to any interested persons. Precedent setting decisions are published in an annual Volume, available for sale from the Government Printing Office, and deposited in over 500 Federal Depository Libraries throughout the country. They are used by law schools, law libraries, the Office of Workers' Compensation Programs, the Office of the Solicitor of Labor, attorneys and those members of the general public interested in federal workers' compensation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Recent decisions are maintained in hard copy form in binders in the ECAB library, older decisions are in published, bound volumes. Published volumes are also on deposit in designated Federal Depository Libraries.

RETRIEVABILITY:

Published decisions are indexed by appellant's last name, by category of medical condition and legal issue, by ECAB Docket number and by ECAB Volume number and page. Unpublished decisions are indexed by ECAB Docket number, and can be cross-referenced to appellant's name.

SAFEGUARDS:

Access to ECAB Library and Decision Files is by request and available during regular office hours.

RETENTION AND DISPOSAL:

Disposition records are retained indefinitely.

SYSTEM MANAGER AND ADDRESS:

Clerk of the Board, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries should be in the form of a written, signed request to the System Manager at the above address and should specify the ECAB Docket number, name of appellant and approximate date of disposition. Alternatively, if disposition is known to be a published decision, inquiry should specify the Volume and page number.

RECORD ACCESS PROCEDURES:

Information or assistance regarding access to ECAB Disposition Records may be obtained by contacting the Clerk of the Board, Employees' Compensation Appeals Board, 300 7th Street SW., Suite 300, Washington, DC 20210 or by telephoning (202) 472-2782.

CONTESTING RECORD PROCEDURES:

Appellants who wish to contest their Disposition Records should notify the System Manager in writing.

RECORD SOURCE CATEGORIES:

Records in this system are composed of formal, final decisions and/or orders of the Employees' Compensation Appeals Board.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ESA-2**SYSTEM NAME:**

Office of Federal Contract Compliance Programs Complaint Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room C3325, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210, and OFCCP Regional and District Offices (see Appendix 1).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing complaints of discrimination under Executive Order 11246, as amended, The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 2012, and section 503 of the Rehabilitation Act of 1973, as amended.

CATEGORIES OF RECORDS IN THE SYSTEM:

Medical records, investigative reports, contract coverage information,

employment applications, time and attendance records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11246, as amended; The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 2012, section 503 of the Rehabilitation Act of 1973, as amended.

PURPOSE:

To maintain information and to provide information to other Federal agencies, Congressional staff and/or to an individual in response to a request from that agency or person regarding information gathered during the course of OFCCP's operations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to the Equal Employment Opportunity Commission, Department of Justice, to other Federal, State or local agencies with concurrent jurisdiction over a complaint, for investigatory, conciliation or enforcement purposes; to Federal contractors, sub-contractors against whom a complaint is filed, including providing a copy of the complaint or a complaint summary for purposes of notice and/or under applicable internal review procedures; during an investigation to persons who may have knowledge pertinent to the complaint, but only to the extent necessary to determine the validity of complaint charges.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSITION OF RECORDS IN THE SYSTEM:**STORAGE:**

Power files/Magnetic tape/Manual files.

RETRIEVABILITY:

By name or OFCCP control number.

SAFEGUARDS:

Locked files and computer access codes.

RETENTION AND DISPOSAL:

Active files retained 2-3 years from date of closure, referred to storage for additional 4 years then they are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, OFCCP, room C3325, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager, the office's regional office servicing the State where they are employed (see list of the office's regional office addresses in appendix I), or their employing agency's personnel office.

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding access to records. Individuals wishing to request access to nonexempt records should contact the appropriate office listed in appendix I.

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d) regarding amendment of records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment of any nonexempt records should contact appropriate office listed in the appendix.

RECORD SOURCE CATEGORIES:

Individual complainants, employers, co-workers, State rehabilitation agencies, physicians.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system contains complaints and investigative files compiled during the course of complaint investigations and compliance reviews. In accordance with paragraph (k)(2) of the Privacy Act, these files have been exempted from section (d), (e), 4(G), 4(H), and (f) of the Act. The disclosure of information contained in these files may in some circumstances discourage nonmanagement persons who have knowledge of facts and circumstances pertinent to charges from giving statements or cooperating in investigations. In addition, disclosure of medical records contained in these files may adversely affect the health of individuals without guidance of a responsible physician.

DOL/ESA-5**SYSTEM NAME:**

Office of Workers' Compensation Programs, Black Lung Antidiscrimination Files.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing complaints against employers on account of discharge or other acts of discrimination by reason of pneumoconiosis disease.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual correspondence, investigative records, employment record, payroll records, medical reports, any other documents or reports pertaining to an individual's work history, education, medical condition or hiring practices of the employer.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 938.

PURPOSE:

These records are used to process complaints against employers who discharge or otherwise discriminate against individuals because of pneumoconiosis disease.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure of file content may be made to any party of interest to the complaint, including the coal company, the claimant, and legal representatives of each.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Coal miner's name and social security number.

SAFEGUARDS:

Files located in restricted area of a Federal building under guard by security officers.

RETENTION AND DISPOSAL:

Files are destroyed 10 years after case is closed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Coal Mine Workers' Compensation, Department of

Labor Building, room C-3520, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the above address. Individuals must furnish their name, the coal miner's social security number and signature.

RECORD ACCESS PROCEDURE:

Individuals wishing to request access to their records should contact the system manager at the above address. Individuals must furnish their name, and coal miner's social security number and signature.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of any record should contact the system manager at the above address. Individuals must furnish their name, the coal miner's social security number and signature.

RECORD SOURCE CATEGORIES:

Individual correspondence, investigative records, employment records, payroll records, medical reports, any other documents or reports pertaining to an individual's work history, education, medical condition, or hiring practices of the employer.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ESA-6**SYSTEM NAME:**

Office of Workers' Compensation, Black Lung Benefit Claim File.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210, and district offices (see addresses in appendix 1).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims for black lung (pneumoconiosis) benefits under the provisions of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, including miners, and their surviving widows, children, dependent parents and siblings.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records included are personal (name, date of birth, SSN, claim type, miner's date of death), medical, and financial. The system also may contain information gathered in connection with investigations concerning possible violations of Federal law, whether civil or criminal, under the authorizing legislation and related Acts. Such information may be derived from materials filed with the Department of Labor, other Federal, State and local departments and agencies, court records, medical records, insurance records, records of employers, articles from publications, published financial data, corporate information, bank information, telephone data, statements of witnesses, information received from Federal, State, local and foreign regulatory and law enforcement organizations, and from other sources. This record also contains the work product of the Department of Labor and other governmental personnel and consultants involved in the investigations. Commercial credit reports of individuals indebted to the United States, correspondence to and from the debtor, information of records relating to the debtor's current whereabouts, assets, liabilities, income and expenses, debtor's personal financial statements, and other information such as the nature, amount and history of a claim owed by an individual covered by this system, and other records and reports relating to the implementation of the Debt Collection Act of 1982 including any investigative records or administrative review matters. The individual records listed herein are included only as pertinent or applicable to the individual claimant.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 901 et seq., 20 CFR 715.1 et seq., 20 CFR 720.1 et seq., 20 CFR 725.1 et seq.

PURPOSE:

These records are used to process claims for black lung (pneumoconiosis) benefits under the provisions of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, including claims filed by miners and their surviving widows, children, dependent parents and siblings.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. Disclosure to the mine operators who have been determined potentially liable for the claim at any time after report of the injury or report of the onset.

of occupational illness, or the filing of a notice of injury or claim related to such injury or occupational illness, also to any party providing the mine operators with workers' compensation insurance coverage for the purpose of determining liability for payment; State workers' compensation agencies and the Social Security Administration for the purpose of determining offsets as specified under the Act; doctors and medical services providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services; other Federal agencies conducting scientific research concerning the incidence and prevention of black lung disease; legal representatives for the purpose of claimant, responsible operator and program representation on contested issues; and labor unions and other voluntary employee associations of which the claimant is a member for the purpose of exercising an interest in claims of members as part of their service to the members.

Records are made available to other Federal agencies and State and local agencies conducting similar or related investigations, and to the Justice Department in that agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is an issue, or in which the Secretary of Labor, any past or present Federal Employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

b. A record from this system may be disclosed to a Federal, State or local agency maintaining pertinent records, if necessary to obtain information relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

c. Records may be disclosed to a debt collection agency that DOL has contracted for collection services to recover indebtedness owed to the United States.

d. Department of Justice/General Accounting Office. Information may be forwarded to the General Accounting Office (GAO), and/or the DOJ as prescribed in the Joint Federal Claims Collections Standards (4 CFR ch. II). When debtors fail to make payment through normal collection routine, the file is analyzed to determine the feasibility of enforced collection by

referring the cases to the Department of Justice (DOJ) for litigation.

e. Other Federal Agencies:

(1) Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal agencies to effect salary or administrative offsets.

(2) A record from this system may be disclosed to a Federal agency in response to its request in connection with the hiring/retention of an employee, the letting of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is necessary and relevant to the requesting agency's decision on the matter.

f. Internal Revenue Service:

(1) Information contained in the system of records may be disclosed to the Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write-off a Federal claim against the taxpayer.

(2) Information may be disclosed to the Internal Revenue Service concerning the discharge of an indebtedness owed by an individual.

g. Credit Bureaus: Information contained in the system of records may be disclosed to a credit bureau for the purpose of receiving commercial credit reports identifying the assets, liabilities, income and expenses of a debtor to ascertain the debtor's ability to pay a debt and to establish a payment schedule.

h. Telephone contacts: Disclosure to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, of information contained in the file may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts; the name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or in accordance with section 3(d)(4)(A)(ii) of the Federal Claims

Collection Act of 1966 as amended (31 U.S.C. 3711(f) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Case file documents, both original and copies in manual files.

RETRIEVABILITY:

Coal miner's name and social security number, and claimant's name when different from miner's must be provided.

SAFEGUARDS:

Files located in restricted area of a Federal building under guard by security officers.

RETENTION AND DISPOSAL:

Approved claims files are destroyed 10 years after death of last beneficiary. Denied claims are destroyed 15 years after final denial.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Coal Mine Workers' Compensation, Department of Labor Building, room C-3520, 200 Constitution Avenue, NW, Washington, DC 20210, and district office commissioners (see addresses in appendix I).

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the above address, or district office deputy commissioner (see addresses in appendix I). Individuals must furnish their name, the coal miner's social security number and signature.

RECORD ACCESS PROCEDURE:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 522a(d), regarding access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request access to non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, the coal miner's social security number and signature.

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding

access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request amendment of any non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, the coal miner's social security number and signature.

RECORD SOURCE CATEGORIES:

Claim form, medical reports, correspondence, investigative reports, employment reports; Federal and State agency records, any other record or document pertaining to a claimant or his dependent as it relates to the claimant's age, education, work history, marital history or medical condition. Commercial credit reports, personal financial statements, correspondence with the debtor, records relating to hearing on the debt, and from other DOL systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Investigative portion of system exempted from certain provisions of the act:

(a) Criminal law enforcement. In accordance with paragraph 3(j)(2) of the Privacy Act, information maintained in this system of files in the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from all provisions contained in 5 U.S.C. 552a except those requirements set forth in paragraphs (b), (c) (1) and (2), (e)(4) through (F), (e) (6), (7), (9), (10), and (11) and paragraph (i) of the Privacy Act. The disclosure of criminal investigatory information, if any, contained in the files, including the names of persons or agencies to whom the information has been transmitted would substantially compromise the effectiveness of any investigations. Knowledge of such investigations could enable subjects to take such action as necessary to prevent detection of criminal activities, conceal evidence, or to escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families.

(b) Other law enforcement. In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes other than material declared exempt under paragraph 3(j)(2) of the Privacy Act, which is maintained in this

system's files of the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from paragraphs (c)(3), (d), (e)(4), (G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files including but not limited to the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-12

SYSTEM NAME:

Office of Workers' Compensation Programs, Black Lung X-ray Interpretation File.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, Department of Labor Building 200 Constitution Ave., NW, Washington, DC 20210, and district offices (see addresses in appendix I).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims for black lung (pneumoconiosis) benefits under the provisions of Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, including miners, and their surviving widows, children, dependent parents and siblings.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records included are medical and personal (name, date of birth, SSN, claim type, miner's date of death).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 901 et seq., 20 CFR 715.1 et seq., 20 CFR 720.1 et seq., 20 CFR 725.1 et seq.

PURPOSE:

These records are used as medical documentation in the processing of claims for black lung (pneumoconiosis) benefits under the provisions of Title IV

of the Federal Coal Mine Health and Safety Act of 1969, as amended.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. Disclosure to the mine operators who have been determined potentially liable for the claim at any time after report of the injury or report of the onset of occupational illness, or the filing of a notice of injury or claim related to such injury or occupational illness, also to any party providing the mine operators with workers' compensation insurance coverage for the purpose of determining liability for payments; State workers' compensation agencies and the Social Security Administration for the purpose of determining offsets as specified under the Act; doctors and medical services providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services; other federal agencies for the purpose of conducting scientific research concerning the incidence and prevention of black lung disease; legal representatives for the purpose of claimant, responsible operator and program representation on contested issues; and labor unions and other voluntary employee associations of which the claimant is a member for the purpose of exercising an interest in claims of members as part of their service to the members.

b. A record from this system may also be disclosed to a Federal, State or local agency maintaining pertinent records, if necessary to obtain information relevant to a Department decisions concerning the determination of initial or continuing eligibility for program benefits.

c. Disclosure to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, of information contained in the file may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files.

RETRIEVABILITY:

Coal miner's name and social security number.

SAFEGUARDS:

Files located in restricted area of a Federal building under guard by security officers.

RETENTION AND DISPOSAL:

Files are destroyed 17 years after final adjudication or denial.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Director, Division of Coal Mine Workers' Compensation, Department of Labor Building, room C-3520, 200 Constitution Ave., NW., Washington, DC 20210, and district office deputy commissioners (see addresses in appendix I).

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the above address or district office deputy commissioner (see addresses in appendix I). Individuals must furnish their name, the coal miner's social security number and signature.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to their records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, coal miner's social security number, and signature.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of any record should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, the coal miner's social security number and signature.

RECORD SOURCE CATEGORIES:

Individual's medical records.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ESA-13**SYSTEM NAME:**

Office of Workers' Compensation Programs, Federal Employees' Compensation Act File.

SECURITY CLASSIFICATION:

Most files and data are unclassified. Some data and files have a Top Secret classification, but the rules concerning their maintenance and disclosure are determined by other Federal agencies.

SYSTEM LOCATION:

Central database is located at Computer Science Corporation, 11700 Montgomery Road, Beltsville, Maryland 20706. Case files and local databases are located at District Offices. See appendix 1, Responsible Officials, for District Office addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FECA benefit recipients are Federal employees injured or killed while in the performance of duty. In case of death, beneficiary records are maintained. In addition to Federal employees the FECA covers volunteers in the Civil Air Patrol, Peace Corps Volunteers, Job Corps Enrollees, Volunteers in Service to America, members of the National Teachers Corps, certain student employees, certain employees of the Alaska Railroad, members of the Reserve Officers Training Corps, and certain law enforcement officers not employed by the United States. Prior to January 1, 1957, the FECA also covered reservists in the Armed Forces of the United States. Also covered are various classes of persons who provide or have provided services to the Government of the United States.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include reports of injury by employee and employing establishment, authorization for medical treatment, medical records, medical and transportation bills, compensation payment records, formal orders for or against payment of compensation, vital statistics such as birth, death, and marriage certificates, and information related to vocational rehabilitation plans and progress reports. The system may also contain information gathered in connection with investigations concerning possible violations of Federal law, whether civil or criminal, under the authorizing legislation and related Acts. Such information may be derived from materials filed with the Department of Labor, other Federal, State and local departments and agencies, court records, medical records, insurance records, records of employers, articles from publications, published financial data, corporate information, bank information, telephone data, statements of witnesses, information received from Federal, State, local and foreign regulatory and law enforcement organizations, and from other sources. This system also contains the work product of the Department of Labor and other government personnel and consultants involved in the investigations. Commercial credit reports of individuals indebted to the

United States, correspondence to and from the debtor, information or records relating to the debtor's current whereabouts, assets, liabilities, income and expenses, debtor's personal financial statements, and other information such as the nature, amount and history of a debt owed by an individual covered by this system, and other records and reports relating to the implementation of the Debt Collection Act of 1982, including any investigative reports or administrative review matters. The individual records listed herein are included only as pertinent or applicable to the individual employee or beneficiary.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 552 et seq.; 20 CFR 1.1 et seq.

PURPOSE(S):

These records provide information and verification about covered employees' work related injuries, on which entitlement to medical treatment and vocational rehabilitation, and entitlement to and computation of continuation of pay, compensation and survivors' benefits under the FECA, and certain other statutes, are based.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. Disclosure to any third-party named in a claim or representative acting on his/her behalf until the claim is adjudicated and all appeals are resolved; Federal agencies which employed the claimant at the time of the occurrence or recurrence of the injury of occupational illness; Federal, State or private rehabilitation agencies to whom the claimant has been referred for evaluation; physicians making an evaluation on behalf of OWCP or the claimant medical insurance plans or health and welfare plans which the claimant is covered by in instances where there is evidence of payment by OWCP for treatment of a medical condition which is not compensable or where there is evidence of payment by the medical insurance plan or health and welfare plan for treatment of a medical condition which may be compensable; and labor unions and other voluntary employee associations of which the claimant is a member for among other services provided to members, assistance with claims processing. Records are made available to other Federal agencies and State and local agencies conducting similar or related investigations, and to the Justice Department for that agency's determination regarding potential

litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

b. A record from this system may be disclosed to a Federal, State or local agency maintaining pertinent records, if necessary to obtain information relevant to a Departmental decision concerning the determination of initial or continuing eligibility for program benefits.

c. Records may be disclosed to a debt collection agency that DOL has contracted with for collection services to recover debts owed to the United States.

d. Records may be disclosed to the General Accounting Office (GAO) and/or the Department of Justice (DOJ) as prescribed in the Joint Federal Claims Collection Standards (4 CFR ch. II). When debtors fail to make payment through normal collection routines, the file is analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice for litigation.

e. Records from this system may be disclosed to other Federal agencies.

(1) Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal agencies to effect salary or administrative offsets.

(2) Records from this system may be disclosed to a Federal agency in response to its request in connection with the hiring or retention of an employee, the lettering of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is necessary and relevant to the requesting agency's decision on the matter.

(3) Reports and other records are sent to all other agencies in order to support the billing of costs paid by DOL.

f. Records from this system may be disclosed to the Internal Revenue Service (IRS).

(1) Information contained in this system of records may be disclosed to the Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write-off a Federal claim against the taxpayer.

(2) Information may be disclosed to the Internal Revenue Service concerning the discharge of a debt owed by an individual.

g. Since OWCP injury reports are used by all agencies to fulfill OSHA (Occupational Safety and Health Administration) reporting requirements (under agreement between OWCP and OSHA), records from this system may be used by them as part of any MIS system established under OSHA regulations to monitor health and safety.

h. Information contained in this system of records may be disclosed to a Credit Bureau for the purpose of receiving commercial credit reports identifying the assets, liabilities, expenses, and income of a debtor in order to ascertain the debtor's ability to pay a debt and in order to be able to establish a payment schedule.

Disclosure to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, of information contained in the file may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts, the name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, may be disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Case files are maintained in manual files, security case files in locked cabinets, and FECA management information system information, chargeback file and other automated data are stored on computer discs or magnetic tapes which are stored in cabinets.

RETRIEVABILITY:

Files and automated data are retrieved after identification by coded file number which is cross-referenced to employee by name, employing establishment, and date and nature of injury. Files located in District Offices are identified by master index file, which is maintained in the National Office.

SAFEGUARDS:

Files and automated data are maintained under supervision of OWCP personnel during normal working hours—only authorized personnel may handle or disclose any information contained therein. Only personnel having security clearance may handle or process security files. After normal working hours, security files are kept in locked cabinets. All files and data are maintained in guarded Federal buildings.

RETENTION AND DISPOSAL:

All case files and automated data pertaining to the case files are destroyed 35 years after the case file has become inactive. Some related financial records are destroyed after 6 years and 3 months.

SYSTEM MANAGER(S) AND ADDRESS:

Director for Federal Employees' Compensation, Department of Labor Building, room S-3229, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

An individual wishing to inquire whether this system of records contains information about him/her may write or telephone the OWCP District Office which services the State in which the individual resided or worked at the time the individual thinks he/she filed a claim, or the system manager. In order for a record to be located, the individual must provide his/her full name, FEC case number (if known), date of injury (if known), date of birth and Social Security number.

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from certain Privacy Act provisions at 5 U.S.C. 552a, regarding access to records. The section of this notice entitled "Systems Exempted From Certain Provisions of the Act" indicates the kind of materials exempted, and the reasons for exempting them from access. Any individual seeking access to non-exempt information about a case in which he/she is a party of interest may write or telephone the OWCP District Office where the case is located, or the system manager, and arrangement will

be made to provide review of the file, consonant with the routine uses specified above, and with the criteria and procedures for disclosure specified in 29 CFR subtitle A, §§ 70a.3-70a.6, and §§ 70a.9-70a.13.

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from certain Privacy Act provisions at 5 U.S.C. 552a, regarding amendment of records. The section of this notice entitled "Systems Exempted From Certain Provisions of the Act" indicates the kind of materials exempted, and the reasons for exempting them. Any individual requesting amendment of non-exempt records should contact the appropriate office listed in the Notification Procedure section above. Individuals requesting amendment of records must comply with the Department's Privacy Act regulations at 29 CFR subtitle A, §§ 70a.1-70a.13.

RECORD SOURCE CATEGORIES:

Injured employees; beneficiaries; employing Federal agencies; other Federal agencies; physicians; hospitals; clinics; educational institutions; attorneys; Members of Congress; OWCP field investigations; State governments; commercial credit reports; agency investigative reports; debtor's personal financial statements; correspondence with the debtor; records relating to hearings on the debt; and other DOL systems of records; CA 45 and CA 135 at originating OWCP district office servicing injured employee's government agency.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

INVESTIGATORY PORTION OF SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

(a) *Criminal law enforcement.* In accordance with paragraph 3(j)(2) of the Privacy Act, information maintained in this system of records of the Office of Workers' Compensation Programs of the Employment Standards Administration, is exempt from all provisions contained in 5 U.S.C. 552a except those requirements set forth in paragraphs (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10) and (11), and paragraph (i) of the Privacy Act. The disclosure of criminal investigatory information, if any, contained in the files, including the names of persons or agencies to whom the information has been transmitted would substantially compromise the effectiveness of any investigations. Knowledge of such investigations could enable subjects to take such action as is necessary to prevent detection of

criminal activities, conceal evidence or escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants and witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families.

(b) *Other law enforcement.* In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes other than material declared exempt under paragraph 3(j)(2) of the Privacy Act, which is maintained in this system of records of the Office of Workers' Compensation Programs of the Employment Standards Administration, is exempt from paragraphs (c)(3), (d), (e)(4) (G), (H) and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations could enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to, informants and witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-015

SYSTEM NAME:

Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Case Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Most case files are located in the district offices at the following addresses:

JFK Building—Government Center, room 1800, Boston, Massachusetts 02203.

ESA/OWCP/Longshore Division, 201 Varick Street, P.O. Box 249, New York, New York 10014-0249.

Gateway Building, room 15200, 3535 Market Street, P.O. Box 7336, Philadelphia, Pennsylvania 19104.

Federal Building, room 1026, 31 Hopkins Plaza, Baltimore, Maryland 21201.

Federal Building, room 212, 200 Granby Mall, Norfolk, Virginia 23510.

U.S. Post Office & Courthouse Building, room 139, 311 W. Monroe Street, Jacksonville, Florida 32201.

701 Loyola Avenue, room 13032, New Orleans, Louisiana 70113.

525 Griffin Street, room 100, Dallas, TX 75202.

One South Green Building, room 105, 12600 N. Featherwood Drive, Houston, Texas 77034.

Room 800, 230 South Dearborn Street, Chicago, Illinois 60604.

ESA/OWCP/Longshore Division, P.O. Box 3770, San Francisco, California 94119.

Box 50209, room 5108, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850.

P.O. Box 3327, room 2525, 300 S. Ferry Street, Terminal Island, California 90731.

Federal Office Building, room 4010, 909 First Avenue, Seattle, Washington 98174.

1290 Upshur Street, NW., P.O. Box 56098, Washington, DC 20011.

Cases involving special issues may be temporarily in the National Office at 200 Constitution Avenue, NW., room C4315, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees injured or killed while working in private industry who are covered by the provisions of the Longshore and Harbor Workers' Compensation Act and related acts.

CATEGORIES OF RECORDS IN THE SYSTEM:

Reports of injury by employees and employers; authorization for medical care, medical reports; medical and transportation bills; formal orders for or against payment of compensation, vocational rehabilitation plans, awards and progress reports; vital statistics such as birth, marriage, and death certificates; and enrollment and attendance records at educational institutions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

33 U.S.C. 901 et seq. (20 CFR parts 701 et seq.); 36 D.C. Code 501 et seq.; 42 U.S.C. 1651 et seq.; 43 U.S.C. 1331 et seq.; 5 U.S.C. 8171 et seq.

PURPOSE(S):

To monitor the actions of insurance carriers, employers, and injured workers with respect to injuries reported under the Longshore and Harbor Workers' Compensation Act and related acts to ensure that eligible claimants receive appropriate benefits as provided by the Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to the employer at any time after report of the injury or report of the onset of the occupational illness, or the filing of a notice of injury or claim related to such injury or occupational illness and to any party providing the employer with workers' compensation insurance coverage since the employer and insurance carrier are parties-in-interest to all actions on a case; doctors and medical service providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services; public or private rehabilitation agencies to whom the injured worker has been referred for vocational rehabilitation services so that they may properly evaluate the injured worker's experience, physical limitations and future employment capabilities. Records are made available to other Federal agencies and State and local agencies conducting similar or related investigations to verify whether prohibited dual benefits were provided, and to the Justice Department for that agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the Longshore and Harbor Workers' Compensation Act and related Acts are in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act. Records are made available to labor unions and other voluntary associations of which the claimant is a member or to an individual acting on behalf of the individual, and also to a congressional office in response to an inquiry made at the request of that individual, so that Congressional offices or representatives of the claimant may advise the claimant of pertinent actions taken in his case.

Disclosure to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, of information contained in the file may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Case files are maintained in manual files and magnetic tapes.

RETRIEVABILITY:

Case files are retrieved after identification by coded file number, which is cross-referenced to injured worker by name.

SAFEGUARDS:

Files are maintained under supervision of OWCP personnel during normal working hours. Files and magnetic tapes are maintained in locked offices after normal working hours. Confidential passwords are required for access to automated records.

RETENTION AND DISPOSAL:

Time retained varies by type of case, ranging from destroy 20 years after case is closed for lost-time disability cases to destroy 6 years and 3 months after death of last possible beneficiary.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Longshore and Harbor Workers' Compensation, room C-4315, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; and Assistant Deputy Commissioners at the location of the district offices listed above.

NOTIFICATION PROCEDURE:

Requests, including name, date of injury, employer at time of injury, and case file number, if known, should be addressed to the system manager listed above, at the office where the case is located.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records should contact the system manager indicated above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to contest the contents of a record should contact the System Manager. Generally, opinions are not subject to amendment, only facts.

RECORD SOURCE CATEGORIES:

The system obtains information from injured employees, their qualified dependents, employers, insurance carriers, physicians, medical facilities, educational institutions, attorneys, and State, Federal, and private vocational rehabilitation agencies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ESA-024

SYSTEM NAME:

Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Special Fund System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Division of Longshore and Harbor Workers' Compensation, room C-4315, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons receiving compensation and related benefits under the Longshore and Harbor Workers' Compensation Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

Medical and vocational rehabilitation reports, bills, vouchers and records of payment for compensation and related benefits, statements of employment status, and formal orders for payment of compensation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

33 U.S.C. 901 et seq. (20 CFR parts 701 et seq.); 36 D.C. Code 501 et seq.; 42 U.S.C. 1651 et seq.; 43 U.S.C. 1331 et seq.; 5 U.S.C. 8171 et seq.

PURPOSE(S):

This system provides a record of payments to claimants, their qualified dependents, or providers of services to claimants from the Special Fund established pursuant to section 44 of the Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure of payment information to employers and insurance carriers under the Longshore and Harbor Workers' Compensation Act since they are parties-in-interest to all actions on the case; doctors and medical service providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services; public or private rehabilitation agencies to whom the injured worker has been referred for vocational rehabilitation services for the purpose of verifying payments made to those agencies. Records are made available to other Federal agencies and

State and local agencies conducting similar or related investigations, and to the Justice Department for the agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the Longshore and Harbor Workers' Compensation Act and related Acts are in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act. Records are made available to labor unions and other voluntary associations of which the claimant is a member or to an individual acting on behalf of the individual, and also to a congressional office in response to an inquiry made at the request of that individual, so that the congressional office or representative of the claimant may advise the claimant of pertinent actions taken in his case.

Disclosure to the claimant, a person who is duly authorized to act on his/her behalf, or to others to whom disclosure is authorized by these routine uses, of information contained in the file may be made over the telephone. Disclosure over the telephone will only be done where the requestor provides appropriate identifying information to OWCP personnel. Telephonic disclosure of information is essential to allow OWCP to efficiently perform its functions in adjudicating and servicing claims.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

STORAGE:

Case files are maintained in manual files and magnetic tapes.

RETRIEVABILITY:

Files are retrieved after identification by injured worker's name.

SAFEGUARDS:

Files are maintained under supervision of OWCP personnel during normal working hours. Confidential passwords are required for access to automated records. Files and magnetic tapes are in the Federal office building.

RETENTION AND DISPOSAL:

Files are destroyed 7 years after last payment is made.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Director, Division of Longshore and Harbor Workers' Compensation, room C-4315, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Requests, including name and case number, if known, should be addressed to system manager.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records should contact the system manager indicated above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to contest the contents of a record should contact the System Manager. Generally, opinions are not subject to amendment, only facts.

Same as above.

RECORD SOURCE CATEGORIES:

The system obtains information from injured employees, their qualified dependents, employers, insurance carriers, physicians, medical facilities, educational institutions, attorneys, and State, Federal, and private vocational rehabilitation agencies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ESA-25

SYSTEM NAME:

Office of Federal Contract Compliance Programs Management Information System (OFCCP/MIS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room C3325, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210; Computer Science Corporation, 11700 Montgomery Road, Beltsville, MD 20705.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing complaints of employment discrimination by Federal contractors and persons outside the agency who correspond with agency officials, managers, and staff.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual complaints, Federal procurement data (listing of Federal contractors and contract information), listings of contractor's establishments, records of enforcement/litigation actions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11246, as amended; The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 2012, Section 503 of the Rehabilitation Act of 1973, as amended.

PURPOSE:

To maintain information and to provide information to other Federal agencies, Congressional staff and/or to an individual in response to a request from that agency or person regarding information gathered during the course of OFCCP's operations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to the Equal Employment Opportunity Commission, Department of Justice, to other Federal, State or local agencies with consistent jurisdiction over a complaint, for investigatory, conciliation or enforcement purposes; to Federal contractors, subcontractors, or federally-assisted construction contractors or subcontractors against whom a complaint is filed, including providing a copy of the complaint or a complaint summary for purposes of notice and/or under applicable internal review procedures; during an investigation to persons who may have knowledge pertinent to the complaint, but only to the extent necessary to determine the validity of complaint charges.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files for working copies of source documents and magnetic tapes and disks for central computer processing.

RETRIEVABILITY:

By name, OFCCP control number, contractor establishment number.

SAFEGUARDS:

Files are locked except during working hours, and only authorized personnel have access to files. Computer systems are restricted to authorized operators and each subsystem has multiple layers of password protection depending upon sensitivity of data.

RETENTION AND DISPOSAL:

Inactive records retained in system for two years from last date of action on record before being purged to history files where they are stored for three years. Transfer to FARC and scratch 5 years after transfer.

SYSTEM MANAGER(S) AND ADDRESS:

Director, OFCCP, room C-3325, 200 Constitution Avenue, NW., Washington, DC 20210

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager, the office's regional office servicing the state where they are employed (see list of the office's regional office addresses in appendix I), or their employing agency's personnel office.

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding access to records. Individuals wishing to request access to non-exempt records should contact the appropriate office listed in appendix I.

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d) regarding amendment of records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment of any non-exempt records should contact appropriate office listed in the appendix.

RECORD SOURCE CATEGORIES:

Individuals, correspondents, Federal contractors, Federal Procurement Data Center, OFCCP personnel working in area, regional, and national office organizational components, Solicitor of Labor in regional and national offices, Department of Justice, and Equal Employment Opportunity Commission.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph (k)(2) of the Privacy Act, these files have been exempted from section (d), 4(G), 4(H), and (f) of the Act. The disclosure of information contained in these files may in some circumstances tend to discourage persons who have knowledge of facts and circumstances pertinent to charges from giving statements or co-operating in investigations. In addition, disclosure of

medical records contained in these files may adversely affect the health of individuals without guidance of a responsible physician.

DOL/ESA-25**SYSTEM NAME:**

Office of Workers' Compensation Programs, Longshore and Harbor Workers' Compensation Act Investigation Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Most case files are located in the district offices at the following addresses:

JFK Building—Government Center, room 1800, Boston, Massachusetts 02203.
ESA/OWCP/Longshore Division, P.O. Box 249, New York, New York 10014-0249.

Gateway Building, room 15200, 3535 Market Street, P.O. Box 7336, Philadelphia, Pennsylvania 19104.

Federal Building, room 1026, 31 Hopkins Plaza, Baltimore, Maryland 21201.

Federal Building, room 212, 200 Granby Mall, Norfolk, Virginia 23510.

U.S. Post Office & Courthouse Building, room 139, 311 W. Monroe Street, Jacksonville, Florida 32201.

701 Loyola Avenue, room 13032, New Orleans, Louisiana 70113.

One South Green Building, room 105, 12600 N. Featherwood Drive, Houston, Texas 77034.

Room 800, 230 South Dearborn Street, Chicago, Illinois 60604.

ESA/OWCP/Longshore Division, Box 3770, San Francisco, California 94119.

Box 50209, room 5108, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850.

P.O. Box 3327, room 2525, 300 S. Ferry Street, Terminal Island, California 90731.

Federal Office Building, room 4010, 909 First Avenue, Seattle, Washington 98174.

1200 Upshur Street, NW., P.O. Box 56098, Washington, DC 20011.

Cases involving special issues may be temporarily in the National Office at 200 Constitution Avenue, NW., room C4315, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims for workers' compensation benefits under the Longshore and Harbor Workers' Compensation Act as amended and extended (33 U.S.C. 901 et seq.); individuals providing medical and other services to the Division; employees of insurance companies and of medical and other services providers to

claimants; and other persons suspected of violations of law under the Act, including related civil and criminal provisions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records which contain information gathered in connection with investigations concerning possible violations of Federal law, whether civil or criminal, under the Longshore and Harbor Workers' Compensation Act and related Acts. Such information may be derived from materials filed with the Department of Labor, other Federal, State and local departments and agencies, court records, medical records, insurance records, records of employers, articles from publications, published financial data, corporate information, bank information, telephone data, statements of witnesses, information received from Federal, State, local, and foreign regulatory and law enforcement organizations, and from other sources. This record also contains the work product of the Department of Labor and other government personnel and consultants involved in the investigations.

AUTHORITY FOR MAINTENANCE OF SYSTEM:

33 U.S.C. 901 et seq. (20 CFR parts 701 et seq.); 36 D.C. Code 501 et seq.; 42 U.S.C. 1651 et seq.; 43 U.S.C. 1331 et seq.; 5 U.S.C. 8171 et seq.

PURPOSE(S):

To determine possible violations of Federal law, whether civil or criminal, in connection with reported injuries under the Longshore and Harbor Worker's Compensation Act and its extensions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are made available to other Federal agencies and State and local agencies conducting similar or related investigations, and to the Justice Department for that agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the Longshore and Harbor Workers' Compensation Act and related Acts are in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained in manual files.

RETRIEVABILITY:

Records are retrieved by name of individual being investigated.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

Time retained varies by type of compensation case involved, and the investigative file is retained according to the same schedule as the particular compensation case to which it relates. For example, if the investigative file is about a lost-time case, it is transferred to the Federal Records Center 2 years after the related compensation case is closed, and destroyed 20 years after the case is closed. If the investigative file is about a death case, it is retained in the office as long as there are qualified dependents, and destroyed 6 years, 3 months after final closing.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Longshore and Harbor Workers' Compensation, room C-4315, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; and, Assistant Deputy Commissioners for the Division of Longshore and Harbor Workers' Compensation in each city listed in Systems Location section.

NOTIFICATION PROCEDURE:

Requests, including name of individual being investigated, should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to records should contact the System Manager indicated above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to contest the contents of a record should contact the System Manager. Generally, opinions are not subject to amendment, only facts.

RECORD SOURCE CATEGORIES:

Records from Division claim and payment files (DOL/ESA-015 and 024) and from employees, insurers, service providers; and information received

from parties leading to the opening of an investigation, or developed as a product of interviews held during the course of an investigation.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

(a) *Criminal law enforcement.* In accordance with paragraph 3(j)(2) of the Privacy Act, information maintained in investigation files in the Division of Longshore and Harbor Workers' Compensation of the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from all provisions contained in 5 U.S.C. 552a, except those requirements set forth in paragraphs (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11) and paragraph (i) of the Act. The disclosure of information contained in the criminal investigative files, including the names of persons or agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations could enable subjects to take such action as necessary to prevent detection of criminal activities, conceal evidence, or to escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families. Premature disclosure of this information would impede significantly the effectiveness of the investigatory activities, and in addition, may often preclude the apprehension and successful prosecution of persons engaged in fraud of the Longshore and Harbor Workers' compensation program.

(b) *Other law enforcement.* In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes other than material declared exempt under paragraph 3(j)(2) of the Act, which is maintained in the investigation files of the Division of Longshore and Harbor Workers' Compensation of the Office of Workers' Compensation Programs of the Employment Standards Administration, is exempt from paragraphs (c)(3), (d), (e)(4) (G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of information contained in civil investigative files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the investigations. Knowledge of such investigations would enable subject to take such action as is necessary to prevent detection of illegal

activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of or harm to informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-27**SYSTEM NAME:**

Debarred Longshore Act Claimant Representatives.

SECURITY CLASSIFICATION:

All files and data are unclassified.

SYSTEM LOCATION:

Division of Longshore and Harbor Workers' Compensation, Office of Workers' Compensation Programs, Washington, DC 20210, and the various area and district offices of the Office of Workers' Compensation Programs set forth in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals alleged to have violated the provisions of the Longshore and Harbor Workers' Compensation Act and its implementing regulations relating to representation of claimants/beneficiaries before the Department of Labor, those found to have committed such violations and who have been disqualified, and those who are investigated but not disqualified. This system would also include information on those persons who have been reinstated as qualified claimant representatives.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records in the system will consist of information such as the representative's name and address, the names and addresses of affected claimants/beneficiaries, copies of relevant documents obtained from claimant/beneficiary files relating to the issue of representation; all documents received as a result of the investigation of and/or hearing on the alleged violation of the Longshore Act and/or its regulations relating to representation, including investigations conducted by the DOL Office of Inspector General or other agency; and copies of documents notifying the representative and other interested persons of the disqualification.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Longshore and Harbor Workers' Compensation Act, 33 U.S.C. 931(b)(2)(B).

PURPOSE(S):

These records provide information on activities—including billing—relating to representation of claimant/beneficiaries, including documents relating to the debarment of representatives under other Federal or state programs. The information is used in any debarment action initiated under the Longshore Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in the system may be disclosed to a claimant/beneficiary that his/her representative has been disqualified from further representation under the Longshore Act. Information concerning the disqualification of claimant representative(s) may also be disclosed to employers or insurance carriers, employees who request information as to the qualification of person(s) to act as a claimant representative under the Act, to state bar disciplinary authorities, and to the general public. Records are made available to other Federal agencies and state and local agencies conducting similar or related investigations, and to the Justice Department in that agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party to, or is otherwise involved in an official capacity under the Act.

A record from this system may also be disclosed as a "routine use" to a Federal, state or local agency maintaining pertinent records, if necessary to obtain information relevant to a Departmental decision relating to debarment actions.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts, name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency, and the program under which the claim arose, may be disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or in accordance with section 3(d)(4)(ii) of the Federal Collection Act

of 1966 as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PROCEDURES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THIS SYSTEM:**STORAGE:**

The lists are maintained manually, on magnetic tapes or other computer storage media, or on computer printouts. The information collected in connection with complaints is kept in manual files.

RETRIEVABILITY:

The records are maintained by the name of the representative.

SAFEGUARDS:

Access to the lists of disqualified representations is not restricted. Records concerning complaints are stored in locked file cabinets.

RETENTION AND DISPOSAL:

The lists are retained and continually updated. Information concerning complaints is not disposed of.

SYSTEMS MANAGER(S) AND ADDRESS:

Associate Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

NOTIFICATION PROCEDURE:

Associate Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

RECORD ACCESS PROCEDURES:

Associate Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

CONTESTING RECORD PROCEDURE:

DOL rules and regulations for contesting and record contents disclosure, and for appealing same, are promulgated at 29 CFR 70a.9.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from employees, employers, insurance carriers, members of the public, agency investigative reports, correspondence and records relating to proceedings under the Longshore Act or other workers' compensation statutes, and from other DOL systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph 3(K)(2) of the Privacy Act, investigative material compiled for law enforcement purposes which is maintained in the investigation files of the Division of Longshore and Harbor Workers' Compensation of the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from paragraphs (c)(3), (d), (e)(4) (G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of information contained in civil investigative files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the investigation. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of or harm to informants, witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-28**SYSTEM NAME:**

Physicians and Health Care Providers Excluded under the Longshore Act.

SECURITY CLASSIFICATION:

All files and data are unclassified.

SYSTEM LOCATION:

Division of Longshore and Harbor Workers' Compensation, Office of Workers' Compensation Programs, Washington, DC 20210; and various area and District Offices of the Office of Workers' Compensation Programs listed in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Providers of medical goods and services, including physicians, hospitals, and providers of medical support services or supplies excluded or considered for exclusion from payment under the Longshore Act, 33 U.S.C. 907(c).

CATEGORIES OF RECORDS IN THE SYSTEM:

Copies of letters, lists, and documents from Federal and state agencies concerning the administrative debarment of providers from participation in programs providing benefits similar to those of the Federal Employees' Compensation Act and their

reinstatement; materials concerning possible fraud or abuse which could lead to exclusion of a provider; documents relative to reinstatement of providers; materials concerning the conviction of providers for fraudulent activities in connection with any Federal or state program for which payments are made to providers for similar medical services; all letters, memoranda, and other documents regarding the consideration of a provider's exclusion, the actual exclusion, or reinstatement under the provisions of 20 CFR 702.431 *et seq.*; copies of all documents in a claimant's file relating to medical care and/or treatment, including bills for such services; as well as letters, memoranda, and other documents obtained during investigations, hearings, and other administrative proceedings concerning exclusion for fraud or abuse, as well as reinstatement, and recommendations and decisions; lists of excluded providers released by the OWCP.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Longshore and Harbor Workers' Compensation Act, 33 U.S.C. 901, 907(c).

PURPOSE(S):

These records provide information on treatment, billing and other aspects of a medical provider's actions, and/or documentation relating to the debarment of the medical care provider under another Federal or state program. The information is used in any debarment action initiated under the Longshore Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Disclosure of the name, address, telephone number, tax identification or Social Security Number, violation, etc., to identify the excluded or reinstated provider to Government agencies, individuals, claimant patients and beneficiary patients, employers, and insurance companies and others to ensure that authorization is not issued nor payment made to an excluded provider; circulation of a list of excluded providers that may include names, addresses, telephone, Employer Identification Number, or Social Security Number (if necessary for the purpose) in order to ensure that authorization or payment will not be made to a provider excluded under the Act, and regulations to ensure that affected persons be informed of the reinstatement of providers; disclosure of information of record to insurance carriers, federal, state or local

government agencies, State Licensing Boards, and private organizations or individuals in order to obtain information necessary to further identify a provider, the nature of a violation, the penalty, and/or any other information considered necessary to ensure that the list of excluded providers is correct, useful, and updated as appropriate. Records are made available to other federal agencies and state and local agencies conducting similar or related investigations, and to the Justice Department in the agency's determination regarding potential litigation and during the course of actual litigation.

Records may be disclosed to contractors providing automated data-processing services for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is in issue, or in which the Secretary of Labor, any past or present federal employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

A record from this system may also be disclosed as a "routine use" to federal, state or local agency maintaining pertinent records, if necessary to obtain information relevant to a Departmental decision relating to debarment actions.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts, name and address, taxpayer identification (SSAN) and other information necessary to establish the identity of a debtor, the agency, and the program under which the claim arose, may be disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or in accord with section 3(d)(4)(ii) of the Federal Collection Act of 1966 as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are in manual files, magnetic tapes or other computer storage media, or on computer printouts.

RETRIEVABILITY:

Material is maintained by the name of the provider.

SAFEGUARDS:

Material in the possession of the Office of Workers' Compensation Programs and its contractors will be, when not in use, kept in closed file cabinets, appropriate lockers and storage areas, etc. This does not include the listings of excluded physicians and medical providers distributed by the OWCP which are required to be disclosed.

RETENTION AND DISPOSAL:

This is a new system of records, and retention periods have not yet been made final.

SYSTEM MANAGER(S) AND ADDRESS:

Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

NOTIFICATION PROCEDURE:

Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

RECORD ACCESS PROCEDURE:

Director for Longshore and Harbor Workers' Compensation Act, Rm. C-4315, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and District Offices set forth in the appendix.

CONTESTING RECORD PROCEDURES:

DOL rules and regulations for contesting any record contents disclosure, and for appealing same, are promulgated at 29 CFR 70a.9.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from federal, state, and local agencies, state licensing boards, private enterprises, insurance carriers, public documents, and newspapers, as well as from other sources furnishing exclusion from participation in the Longshore Act program; investigation reports, claimant and representative submissions, and hearing transcripts, as well to correspondence and records relating to reinstatement or exclusion from payment under the program or to a hearing or other administrative action taken pursuant to the Act and regulations.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph 3(K)(2) of the Privacy Act, investigative

material compiled for law enforcement purposes which is maintained in the investigation files of the Division of Longshore and Harbor Workers' Compensation of the Office of Workers' Compensation Programs is exempt from paragraphs (c)(3), (d), (e)(4)(G), the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the investigation. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of or harm to informants, witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families. The imposition of certain restrictions on the manner in which investigative information is collected, verified, and retained could also significantly impede the effectiveness of the investigative activities.

DOL/ESA-29

SYSTEM NAME:

Physicians and Health Care Providers Excluded under the Federal Employees' Compensation Act.

SECURITY CLASSIFICATION:

All files and data are unclassified.

SYSTEM LOCATION:

The Division of Federal Employees' Compensation, Office of Workers' Compensation Programs, Washington, DC; and the various area and district offices of the Office of Workers' Compensation Programs listed in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Providers of medical goods and services, including physicians, hospitals, and providers of medical support services or supplies excluded or considered for exclusion from payment under the Federal Employees' Compensation Act for fraud or abuse (20 CFR 10.450-457).

CATEGORIES OF RECORDS IN THE SYSTEM:

Copies of letters, lists and documents from Federal and state agencies concerning the administrative debarment of providers from participation in programs providing benefits similar to those of the Federal Employees' Compensation Act and their reinstatement; materials concerning possible fraud or abuse which could lead to exclusion of a provider;

documents relative to reinstatement of providers, materials concerning the conviction of providers for fraudulent activities in connection with any Federal or state program for which payments are made to providers for similar medical services; all letters, memoranda, and other documents regarding the consideration of a provider's exclusion, the actual exclusion, or reinstatement under the provisions of 20 CFR 10.450-10.457; copies of all documents in a claimant[s] file relating to medical care and/or treatment including bills for such services, as well as letters, memoranda, and other documents obtained during investigations, hearings and other administrative proceedings concerning exclusion for fraud or abuse, as well as reinstatement, along with recommendations and decisions; lists of excluded providers released by the OWCP.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Federal Employees' Compensation Act (5 U.S.C. 8101 *et seq.*), and title 20, Code of Federal Regulations, part 10.

PURPOSE(S):

These records provide information on treatment, billing and other aspects of a medical provider's actions, and/or documentation relating to the debarment of the medical care provider under another Federal or state program. The information is used in any debarment action initiated under the Federal Employees' Compensation Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Disclosure of the name, address, telephone number, tax identification or Social Security Number, violation, etc., to identify the excluded or reinstated provider to Government agencies, individuals, claimant patients and beneficiary patients and others to assure that authorization is not issued nor payment made to an excluded provider; circulation of a list of excluded providers that may include names, addresses, telephone numbers, Employer Identification Numbers, or Social Security numbers (if necessary for the purpose) in order to assure that authorization or payment will not be made to a provider excluded under the regulations and to assure that affected persons are informed of the reinstatement of providers; disclosure of information of records to insurance carriers, Federal, state or local government agencies, state licensing boards, and private organizations or individuals in order to obtain information necessary to further identify

a provider, the nature of a violation, the penalty and/or any other information considered necessary to assure that the list of excluded providers is correct, useful, and updated as appropriate. Records are made available to other Federal agencies and state and local agencies conducting similar or related investigations, and to the Justice Department in that agency's determination regarding potential litigation and during the course of actual litigation.

Records may be disclosed to contractors providing automated data processing service for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is in issue, or in which the Secretary of Labor, any past or present Federal employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

A record from this system may also be disclosed as a "routine use" to a Federal, state or local agency maintaining pertinent records, if necessary to obtain information relevant to a Departmental decision relating to debarment action.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts, the name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, may be disclosed pursuant to 5 U.S.C. 552a(b)(12), to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), or in accordance with section 3(d)(4)(ii) of the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3711(f)) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PROCEDURES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are in manual files, magnetic tapes or other computer storage media, or on computer printouts.

RETRIEVABILITY:

Material is maintained either by the name of the provider, a case citation, or date of release.

SAFEGUARDS:

Material in the possession of the Office of Workers' Compensation Programs and its contractors will be, when not in use, kept in closed file cabinets, appropriate lockers and storage areas, etc. This does not include the listings of excluded physicians and medical providers distributed by the OWCP which are required to be disclosed.

RETENTION AND DISPOSAL:

This is a new system of records and retention periods have not yet been made final.

SYSTEM MANAGER(S) AND ADDRESS:

Director for Federal Employees' Compensation, Rm. S-3229, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and the OWCP District Offices set forth in the appendix.

NOTIFICATION PROCEDURE:

Director for Federal Employees' Compensation, Rm. S-3229, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and the OWCP District Offices set forth in the appendix.

RECORD ACCESS PROCEDURE:

Associate Director for Federal Employees' Compensation, room S-3229, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CONTESTING RECORD PROCEDURES:

DOL rules and regulations for contesting or appealing any record contents disclosure are promulgated at 29 CFR 70a.9.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from FECA case records, Federal, state and local agencies, state licensing boards, private enterprises, insurance carriers, public documents, newspapers, as well as from other sources furnishing evidence that a provider may have acted in a manner which merits exclusion from participation in the FECA program; investigation reports, claimant and representative submissions, hearing transcripts, as well as to correspondence and records relating to reinstatement or exclusion from payment under the program or to a hearing or other administrative action being taken pursuant to the regulations.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement

purposes which is maintained in the investigation files of the Office of Workers' Compensation Programs, is exempt from paragraphs (c)(3), (d), (e)(4)(G), (H), and (I), and paragraph (F) of 5 U.S.C. 552a. The disclosure of information contained in civil investigative files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the investigation. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to, informants and witnesses, and their respective families, and in addition could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA 30**SYSTEM NAME:**

Office of Workers' Compensation Programs, Black Lung Automated Support Package.

SYSTEM CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Workers' Compensation Programs, Division of Coal Mine Workers' Compensation, Department of Labor Building, 200 Constitution Ave., NW., Washington, DC 20210, and district offices (see addresses in appendix I).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims for black lung benefits; claimants receiving benefits; dependents of claimants and beneficiaries; medical providers; attorneys representing claimants; coal mine operators (workers' compensation insurance carriers).

CATEGORIES OF RECORDS IN THE SYSTEM:

Records included are personal (name, date of birth, SSN, claim type, miner's date of death); demographic (state, county, city, congressional district, zip code); mine employment history; medical disability; initial determination; conference results; hearing results; medical and disability payment history; accounting information including data on debts owed to the United States; Social Security Administration black lung benefit data; state workers' compensation claim and benefit data; coal mine operator names, addresses, states of operation and histories of insurance coverage; and medical service

providers names, addresses, license numbers, medical specialties, tax identifications and payment histories.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 901 et seq., 20 CFR 715.1 et seq., 20 CFR 720.1 et seq., 20 CFR 725.1 et seq.

PURPOSE(S):

Provide access to data on claimants, beneficiaries and their dependents; attorneys representing claimants; medical service providers; coal mine operators and insurance carriers. Provide means of automated payment of medical and disability benefits. Maintain a history of medical bills submitted by beneficiaries and medical service providers. Maintain a history of disability benefit payments made to beneficiaries and medical benefit payments made to beneficiaries and medical service providers. Maintain program accounting information including information on debts owed to the United States. Provide a means for the automatic recoupment of overpayments made to beneficiaries and medical service providers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

a. Disclosure to the mine operators who have been determined potentially liable for the claim at any time after report of the injury or report of the onset of occupational illness, or the filing of a notice of injury or claim related to such injury or occupational illness, also to any party providing the mine operators with workers' compensation insurance coverage for the purpose of determining liability for payments; State workers' compensation agencies and the Social Security Administration for the purpose of determining offsets as specified under the Act; doctors and medical services providers for the purpose of obtaining medical evaluations, physical rehabilitation or other services; other federal agencies for the purpose of conducting scientific research concerning the incidence and prevention of black lung disease; legal representatives for the purpose of claimant, responsible operator and program representation on contested issues; and labor unions and other voluntary employee associations of which the claimant is a member for the purpose of exercising an interest in claims of members as part of their service to the members.

Records are made available to other Federal agencies and State and local agencies conducting similar or related

investigations, and to the Justice Department in that agency's determination regarding potential litigation and during the course of actual litigation. Records may be disclosed to contractors providing automated data processing services for the Department of Labor, and may also be disclosed in any proceeding where the authorizing legislation is in issue, or in which the Secretary of Labor, any past or present Federal Employee, or any consultant, is directly or indirectly involved in investigations or other enforcement activities, is a party, or is otherwise involved in an official capacity under the Act.

b. A record from this system may be disclosed to a Federal, State or local agency maintaining pertinent records, if necessary to obtain information relevant to a Department decision concerning the determination of initial or continuing eligibility for program benefits.

c. Records may be disclosed to a debt collection agency that DOL has contracted for collection services to recover indebtedness owed to the United States.

d. Department of Justice/General Accounting Office. Information may be forwarded to the General Accounting Office (GAO), and/or the DOJ as prescribed in the Joint Federal Claims Collections Standards (4 CFR ch. II). When debtors fail to make payment through normal collection routines, the file is analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice (DOJ) for litigation.

e. Other Federal Agencies.

(1) Pursuant to sections 5 and 10 of the Debt Collection Act of 1982, information relating to the implementation of the Debt Collection Act of 1982 may be disclosed to other Federal Agencies to effect salary or administrative offsets.

(2) A record from this system may be disclosed to a Federal Agency in response to its request in connection with the hiring/retention of an employee, the letting of a contract, or the issuance of a grant, license, or other benefit by the requesting agency, to the extent that the information is necessary and relevant to the requesting agency's decision on the matter.

f. Internal Revenue Service.

(1) Information contained in the system of records may be disclosed to the Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect, compromise, or write-off a Federal claim against the taxpayer.

(2) Information may be disclosed to the Internal Revenue Service concerning

the discharge of an indebtedness owed by an individual.

g. Credit Bureaus.

(1) Information contained in the system of records may be disclosed to a credit bureau for the purpose of receiving commercial credit reports identifying the assets, liabilities, income and expenses of a debtor to ascertain the debtor's ability to pay a debt and to establish a payment schedule.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

The amount, status and history of overdue debts; the name and address, taxpayer identification (SSAN), and other information necessary to establish the identity of a debtor, the agency and program under which the claim arose, are disclosed pursuant to 5 U.S.C. 552a(b)(12) to consumer reporting agencies as defined by section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)); or in accordance with section 3(d)(4)(A)(ii) of the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3711(f) for the purpose of encouraging the repayment of an overdue debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Magnetic media. Medical bills and supporting medical reports transferred to microfilm and magnetic media.

RETRIEVABILITY:

Coal miner's name and social security number; medical provider number; coal mine operator number; insurance carrier number.

SAFEGUARDS:

Files secured in a guarded facility; teleprocessing access protected by restrictions on access to equipment and through use of encrypted passwords.

RETENTION AND DISPOSAL:

Permanent retention of magnetic media and microfilm. Medical bills and supporting medical reports are destroyed 6 years and 3 months after final adjudication.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Director, Division of Coal Mine Workers' Compensation, Department of Labor Building, Room C-3520, 200 Constitution Ave., NW., Washington, DC 20210, and district office deputy commissioners (see addresses in appendix I).

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains

information about them should contact the system manager at the above address or district office deputy commissioner (see addresses in appendix I). Individuals must furnish their name, the coal miner's social security number and signature.

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 522a(d), regarding access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request amendment of any non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, the coal miner's social security number and signature.

CONTESTING RECORD PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 522a(d), regarding access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request amendment of any non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish their name, social security number and signature.

RECORD SOURCE CATEGORIES:

Claim forms, medical reports, correspondence, investigative reports, employment records, any other record or document pertaining to a claimant or his dependents as it relates to the claimant's age, education, work history, marital history or medical condition. Commercial credit reports, personal financial statements, correspondence with the debtor, records relating to hearings on the debt, and from other DOL systems of records. Enrollment applications from providers of medical services. Medical bills submitted by the beneficiaries or medical service providers. Data exchanges with Federal, State or local agencies. Reports on liability coverage from coal mine operators and insurance carriers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Investigatory portion of system exempted from certain provisions of the Act: (a) Criminal law enforcement. In accordance with paragraph 3(j)(2) of the

Privacy Act, information maintained in this system of files in the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from all provisions contained in 5 U.S.C. 552a except those requirements set forth in paragraphs (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11) and paragraph (i) of the Privacy Act. The disclosure of criminal investigatory information, if any, contained in the files, including the names of persons or agencies to whom the information has been transmitted would substantially compromise the effectiveness of any investigations. Knowledge of such investigations could enable subjects to take such action as is necessary to prevent detection of criminal activities, conceal evidence, or to escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families, and could jeopardize the safety and well-being of investigative personnel and their families. (b) Other law enforcement. In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes other than material declared exempt under paragraph 3(j)(2) of the Privacy Act, which is maintained in this system's files of the Office of Workers' Compensation Programs of the Employment Standards Administration is exempt from paragraphs (c)(3), (d), (e)(4) (G), (H), and (I), and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families.

DOL/ESA-31**SYSTEM NAME:**

Office of Federal Contract Compliance Programs' Time Reporting Information System (TRIS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Room C3325, Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; Computer Science Corporation, 11700 Montgomery Road, Beltsville, MD 20705; ten Regional offices, see appendix 1 for addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Office of Federal Contract Compliance Programs' Equal Opportunity Specialists and Equal Opportunity Assistants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Listing of hours utilized to perform OFCCP program responsibilities.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11246; 29 U.S.C. 793; 38 U.S.C. 793; 38 U.S.C. 2012; Section 503 of the Rehabilitation Act of 1973, as amended.

PURPOSE:

To provide OFCCP Managers with a viable means of tracking the number of hours used in performing OFCCP program responsibilities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

This system was instituted for the purpose of tracking the number of hours utilized by Equal Opportunity Specialists and Equal Opportunity Assistants in performing their assigned program duties and responsibilities. It is an internal tracking system.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN SYSTEM:**STORAGE:**

Manual files for working copies of source documents and magnetic tapes and discs for central computer processing.

RETRIEVABILITY:

By identification numbers assigned to each Equal Opportunity Specialist and Equal Opportunity Assistant.

SAFEGUARDS:

Files are locked except during working hours, and only authorized personnel have access to files. Computer systems are restricted to authorized operators and each subsystem has multiple layers of password protection depending upon sensitivity of date.

RETENTION AND DISPOSAL:

Records retained in system for two years from last date of action on record before being purged to history files where they are stored for three years. Transfer to FARC five years after transfer.

SYSTEM MANAGER(S) AND ADDRESS:

Director, OFCCP, room C 3325, 200 Constitution Avenue, NW., Washington, DC 20210; Assistant Regional Administrators, OFCCP, see appendix 1 for addresses

NOTIFICATION PROCEDURES:

Individuals wishing to make inquiries regarding this system should contact the system manager, or the regional office servicing the state where they are employed (see list of the regional office addresses in appendix 1).

RECORD ACCESS PROCEDURES

Individuals wishing to request access to these records should contact the appropriate office listed in appendix 1.

CONTESTING RECORD PROCEDURES:

None.

RECORD SOURCE CATEGORIES:

OFCCP personnel working in area, regional and national offices.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ESA-32**SYSTEM NAME:**

ESA Employee Conduct Investigations.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office in the Employment Standards Administration National Office.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, organization and other information relating to the individual involved. It also contains investigative report(s) associated with the case, including interviews and other confidential data gathered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

These records are maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest, etc., are retained and are available to agency, Departmental, or other Federal officials

having a need for the information in the performance of their official duties and to support actions taken based on the records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to other Federal Agencies, including the Department of Justice, the FBI, and to any other Federal, State and local government responsible for investigation or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are stored in file folders in metal cabinets.

RETRIEVABILITY:

Filed by name or other identifying code such as a case file number.

SAFEGUARDS:

The files are maintained in locked file cabinets with access only to those with a need to know the information to perform their duties.

RETENTION AND DISPOSAL:

Completed investigations are disposed of after 20 years. Matters not subject to full investigations are disposed of after 10 years.

SYSTEM MANAGER AND ADDRESS:

Division of Internal Management Control 200 Constitution Ave., NW, room N3468, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries should be mailed or presented to the system manager noted at the address noted above.

RECORD ACCESS PROCEDURES:

As noted in notification procedure.

CONTESTING RECORD PROCEDURES:

As noted in notification procedure.

RECORD SOURCE CATEGORIES:

Hotline complaints through the Office of the Inspector General's hotline; hotline complaints through the General Accounting Office's hotline system; incident reports submitted by other employees; and investigative reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by U.S.C. 552a(k)(2),

exempting this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), 3, (d), (e)(1), (4) (G), (H), (I), and (f) of the Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information than already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information.

DOL/ESA-33

SYSTEM NAME:

Compliance Officer's Weekly Report.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Sixty-three District Offices, See Appendix 1 for addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Wage and Hour Division Compliance Officers.

CATEGORIES OF RECORDS IN THE SYSTEM:

Listing of hours worked distributed among the various program activities.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 USC 301.

PURPOSE:

To provide Wage and Hour District Directors a method of monitoring the activities of Compliance Officers by providing a daily record of compliance officer activities including expenditure of hours by case, Act and non-case activity, and a record of leave taken.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE OF CONSUMER REPORT AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Original copy is maintained in manual files.

RETRIEVABILITY:

By name of compliance officer.

SAFEGUARDS:

Files are locked except during working hours. Only authorized personnel have access to files.

RETENTION AND DISPOSAL:

Records are retained in files for two years and then destroyed.

SYSTEM MANAGERS AND ADDRESSES:

Administrator, Wage and Hour Division, Room S-3502, Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC 20210; Regional Directors, Wage and Hour (see Appendix I for address).

NOTIFICATION PROCEDURES:

Individuals wishing to make inquiries regarding this system should contact the system manager, or the regional office servicing the state where they are employed (see list of the regional office addresses in Appendix I).

RECORD ACCESS PROCEDURES:

Individuals wishing to request access to these records should contact the appropriate office listed in Appendix I.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of any nonexempt records should contact the appropriate office listed in Appendix I.

RECORD SOURCE CATEGORIES:

Wage and Hour personnel working in district and regional offices.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ETA-1

SYSTEM NAME:

Bureau of Apprenticeship and Training, Budget and Position Control File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Employment and Training Administration (ETA), Bureau of Apprenticeship and Training (BAT), Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Federal employees currently employed by BAT.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel records concerning grades and salaries.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301

PURPOSE(S):

For ready access in preparing management reports as required by the Employment and Training Administration, and controlling BAT FTE Ceiling (Full Time Equivalent) employment.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Kardex files.

RETRIEVABILITY:

By region, budget position number, and name of employee, on a manual basis.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

Retained indefinitely for employment reference requests on former employees.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Bureau of Apprenticeship and Training, Employment and Training Administration, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210.

NOTIFICATION PROCEDURE:

See System Manager(s) and Address above.

RECORD ACCESS PROCEDURES:

See System Manager(s) and Address above.

CONTESTING RECORD PROCEDURE:

See System Manager(s) and Address above.

RECORD SOURCE CATEGORIES:

Personnel records, including SF-Form 50.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ETA-2**SYSTEM NAME:**

Bureau of Apprenticeship and Training, Program Management Group, Budget and Position Control File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Employment and Training Administration, Bureau of Apprenticeship and Training, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649 Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Regional employees currently employed by BAT.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personnel records concerning grades and salaries, addresses and telephone numbers of employees, and copies of each position description in effect.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

For ready access in preparing management reports on equal employment opportunity (quarterly), for forecasting grade and salary reports; special reports such as the number of employees eligible for retirement, and special reports for Employment and Training Administration and the Congress.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Kardex files.

RETRIEVABILITY:

By region, budget position number, and name of employee, on a manual basis.

SAFEGUARDS:

Access to and use of these records are limited to those persons whose official duties require such access.

RETENTION AND DISPOSAL:

Maintained indefinitely. Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals seeking information concerning the existence of records or the contents of records on himself/herself should furnish a written request to the Director, Bureau of

Apprenticeship and Training, Employment and Training Administration, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210. The following information is needed for records to be located:

- Full name
- Date of birth
- Social Security number
- Occupation

RECORD ACCESS PROCEDURES:

See notification procedure above.

CONTESTING RECORD PROCEDURES:

See notification procedure above.

RECORD SOURCE CATEGORIES:

Personnel records including SF-Form 50.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/ETA-4**SYSTEM NAME:**

Apprenticeship Management System (AMS)

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Employment and Training Administration, Bureau of Apprenticeship and Training, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210; and Chicago, Illinois, Department of Labor Region V Data Center.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Apprentices/Trainees.

CATEGORIES OF RECORDS IN THE SYSTEM:

The categories of records include the following identifying information on apprentice/trainees such as social security number, ATR Code, program number, State Code, DOT Code, Job Title, name, birth date, sex, ethnic code, Veteran code, accession date, previous experience date, expected completion date, apprenticeship school link.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The National Apprenticeship Act, also referred to as the Fitzgerald Act, 29 U.S.C 50.

PURPOSE(S):

Records of individual apprentice/trainee and apprenticeship/trainee program sponsors are used for the

operation and for the management of the apprenticeship system of training.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records may be disclosed to SOICC (State Occupational Information Coordinating Committee) as basis for skill needs projection; to AFL-CIO, Joint Apprenticeship Committees and Nonjoint Apprenticeship Committees, and other apprenticeship sponsors to determine an assessment of skill needs and provide program information. To provide program information for SACs (State Apprenticeship Agencies) and other State/Federal agencies concerned with apprenticeship/training needs. To community organizations such as the Urban League, Opportunities Industrialization Centers, to utilize apprenticeship information in planning.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Direct Access Storage Devices (DASD); manual files. Magnetic tape is used for archived information.

RETRIEVABILITY:

Records are retrieved by the name or social security number of the apprentice/trainee by program type.

SAFEGUARDS:

Two levels of individual passwords for entry into the system. Locked computer room. Manual system: Locked file cabinet. During working hours, records are accessible only to authorized personnel.

RETENTION AND DISPOSAL:

Retain for five years and then destroy. Inactive programs are stored on magnetic tape and archived from online AMS file. Inactive and completed apprentices are maintained on tape indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Bureau of Apprenticeship and Training, Employment and Training Administration, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals seeking information concerning the existence of apprenticeship records or the contents of records on himself/herself should furnish a written request to the Director,

Bureau of Apprenticeship and Training, Employment and Training Administration, Frances Perkins Building, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20210.

The following information is needed for records to be located:

- Full name
- Date of birth
- Social security number
- Occupation

RECORD ACCESS PROCEDURES:

See notification procedure above.

CONTESTING RECORD PROCEDURE:

See notification procedure above.

RECORD SOURCE CATEGORIES:

Apprentice/trainee and also Program Sponsor.

SYSTEM EXEMPTED FROM CERTAIN PROVISION OF THE ACT:

This system is not exempt.

DOL/ETA-7

SYSTEM NAME:

Employer Application File for Permanent and Temporary Alien Workers.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

ETA, USES, Division of Foreign Labor Certifications, Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210; 10 Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employers who file application for a certification to employ one or more alien workers on a permanent or temporary basis. The alien may be known or unknown.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employers names, addresses, type and size of businesses, production data, number of workers needed in certain cases, offer of employment terms to known or unknown aliens, and background and qualifications of certain aliens.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 414, *Immigration and Nationality Act* as amended by Pub. L. 99-603, 8 USC 1182(a)(14), 1101(a)(15)(H), 1184(c), 1186, 8 CFR 214.2(h).

PURPOSE(S):

To maintain a record of applicants and actions taken by ETA on requests to employ alien workers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Any and all materials pertinent to the alien certification program are disclosed to attorneys, employers, worker representatives, and aliens to review ETA actions; to participating agencies such as INS and State in connection with administering and enforcing related immigration laws and regulations; and to the Offices of Administration Law Judges and Federal Courts in connection with appeals of denials of certification requests.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure provided in accordance with the FOIA and the Privacy Act.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

Manual files are stored in the national office, the 10 regional offices, and the office in Virgin Islands.

RETRIEVABILITY:

Records are maintained on all applications for alien employment certification filed by means of Immigration Case Record and Transmittal. PES form 71-30 (Rev. June 1968). Job offer applications are filed alphabetically by employer name, and applications by alien name if filed by alien on his own behalf.

SAFEGUARDS:

Access to records provided only to authorized personnel.

RETENTION AND DISPOSAL:

Retain case file in office for two years, transfer to a records center for disposition after two additional years.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Foreign Labor Certifications, ETA, U.S. Employment Service, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

As in System manager(s) and address.

RECORD ACCESS PROCEDURES:

As in System manager(s) and address.

CONTESTING RECORD PROCEDURES:

As in System manager(s) and address.

RECORD SOURCE CATEGORIES:

Information comes from the application form completed by employers and aliens.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

ETA-8**SYSTEM NAME:**

Job Corps Management Information System (JCMIS) File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Job Corps Data Center, P.O. Box 1667, San Marcos, Texas 78666.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Job Corps enrollees and trainees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal information about the trainees: Pre-enrollment status, such as number of months since enrolled in school, home address, etc.; characteristics, such as age, race/ethnic group, sex, etc.; summarization of basic education and vocational training received in Job Corps; and initial placement status (entry into employment, school, military service, or other status) after termination from the program.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C 1691.

PURPOSES:

To provide information to users in order to assist them in the management of their programs; to provide descriptive information about the youth served by the programs and their outcomes; and to support evaluation and research about the Job Corps program and its enrollees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM:**

(A) Generation of Statistical Reports, including Performance Standards Reports, and detailed listings of enrollees and trainees.

Purpose of such uses: To monitor progress of enrollees (as measured by overall average retention, reading and math gains, vocational program progress, placement outcomes, etc.) at the Job Corps centers, in order to identify and remedy areas of inadequate performance in program areas; detailed listings are used to ensure complete and accurate reporting about the enrollees and trainees.

(B) Supporting evaluation, demonstration and research projects approved by the Department of Labor

which require the use of detailed Job Corps enrollee data, such as development of regression model based performance standards and establishing base-line information for long-term follow-up of trainees.

Purpose of such uses: To determine the effectiveness of the overall Job Corps program and various Job Corps pilot projects which provide alternative means of providing training and support services.

(C) Providing information to the Selective Service System pertaining to male Job Corps enrollees aged 18 and over. Purpose of such uses: To facilitate the registration process by Job Corps center operators, and to facilitate registration verification by the Selective Service System.

CATEGORIES OF USERS:

(1) Program operators: Contractor staff which operate the outreach/screening and placement programs and the center training programs, at the field and headquarters levels; Federal staff in the Departments of Agriculture and the Interior which operate Job Corps centers, at the center and Agency levels.

(2) Federal staff of non-DOL Agencies: Staff at the Regional, Bureau and National Offices which are responsible for monitoring and managing the programs.

(3) Staff of the Selective Service System.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic disk and magnetic tape.

RETRIEVABILITY:

Social Security Number.

SAFEGUARDS:

Access to files is limited to designated data processing staff (programmers/analysts). Files are password-protected, and are kept in physically secure vault in limited-access building which is not accessible to the public. Back-up tape files are kept in a physically secure vault off-site.

RETENTION AND DISPOSAL:

Paper records (source documents) are retained for 90 to 180 days after processing, then destroyed by shredding.

(The "Official Record" copies of these documents are filed in the Terminated Corpsmember Records Folders, which are maintained at Job Corps centers from which the enrollees terminated for

one to two years after termination; afterwards the folders are deposited in the appropriate regional GSA archives.)

Data file records on Job Corps trainees are retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Job Corps, U.S. Dept. of Labor/E.T.A., 200 Constitution Ave. NW, room N-4508, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Letter to System Manager in accordance with 29 CFR parts 70a et seq. giving the following information about the Job Corps enrollee or trainee:

Full name.

Social Security Number (if available).

Job Corps center at which enrolled (if available).

Dates of enrollment and termination, if known.

RECORD ACCESS PROCEDURES:

As above.

CONTESTING RECORD PROCEDURES:

As above. Documentation should be provided supporting any requests for amending records.

RECORD SOURCE CATEGORIES:

Outreach/screening and placement contractors; Job Corps centers.

EXEMPTIONS:

None.

DOL/ETA-14**SYSTEM NAME:**

Job corpsmember records.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Job Corps centers; (which includes contract and agency centers); Job Corps National Office; Regional Offices; Federal Records Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Corps enrollees and trainees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records which contain information kept about the corpsmembers, such as separate running accounts of the corpsmembers general biographical data; educational training, vocational training; counseling; recreational activities; dormitory logs; health (dental, medical, mental health records); administrative records covering data pertaining to enrollment allowances and allotments, leave records, resume of

corpsmember's qualifications (640); and Center Standards Officer's disciplinary records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title IV B of the Job Training Partnership Act, as amended. 29 U.S.C. 1691 et. seq.

PURPOSE:

These records are maintained to ensure that all appropriate documents of the corpsmember's stay in Job Corps (covering entrance to placement and/or termination) are retained and are available to those officials who have a legitimate need for the information in performing their duties and to serve the interest of the corpsmembers in accordance with 29 U.S.C. 1691 et. seq.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

- (1) To disclose information to the news media or members of the general public regarding corpsmember's name and age, for the purpose of promoting the merits of the program.
- (2) To disclose information, giving the summary of a corpsmember's academic and vocational achievement and general biographical information, to placement and welfare agencies, prospective employers, school or training institutions to assist in the employment of a corpsmember.
- (3) To disclose information to state and federal law enforcement agencies or other government investigators to assist them in locating a corpsmember and/or their family.
- (4) To disclose information to appropriate federal, state, and local agencies which have law enforcement jurisdiction over corpsmembers (which includes probation or parole officers); and/or the property on which the center is located.
- (5) To disclose all or any information to parents/guardians regarding corpsmembers under the age of 18 for performance of parental rights and responsibilities.
- (6) To disclose information to Job Corps health consultants; Job Corps Center Review members (in appropriate disciplinary cases); state, county, and local health services personnel; family planning agencies; and physicians (public or private) to whom a corpsmember is referred for diagnosis or to receive treatment to assure continuance of proper health care, or notification and contact tracking for communicable disease control.

- (7) To disclose to state and local health departments all cases of infection or disease that are required to be reported to them in accordance with state and local laws. This disclosure shall be made by the center director.

Note: Center physicians shall deal with all cases of communicable diseases in accordance with Job Corps directives based on current recommendations of the Center for Disease Control of the Department of Health and Human Services.

- (8) To disclose information to state and local health departments regarding infected persons who are unwilling to notify their contacts sense for the purpose of assisting in the counseling of corpsmembers for their protection and care.

- (9) To disclose information to medical laboratories necessary in identifying specimens for the purpose of testing.

- (10) To disclose information to social service agencies in cases of corpsmembers termination for assistance in providing services such as Medicaid, housing and finance.

- (11) To disclose information to the Army Finance center, Fort Benjamin Harrison, Indiana to pay corpsmember allowances and maintain and dispose of their pay records.

- (12) To disclose information to federal, state, and local agencies and to community-based organizations for the operation of experimental, research, demonstration, and pilot projects authorized under sections 433, 452, or 453 of the Job Training Partnership Act, 29 U.S.C. 1703, 1732, or 1733, except that in the case of a research project, the researcher shall guarantee to protect the anonymity of all staff and corpsmembers involved in any presentation of the results of such study.

- (13) To disclose information to contractors and agencies enabling them to properly administer the program.

- (14) To disclose to the Selective Service System name, social security number, date of birth, and address of corpsmembers, to insure registration compliance for eligible enrollees applying for Job Corps training benefits.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Corpsmembers files are maintained in locked file cabinets; files are maintained on magnetic tapes, computer data base, and discs; printouts from army terminals which include payroll statistical reports.

RETRIEVABILITY:

Records are retrieved by name (alphabetized), social security number of the individual corpsmembers on whom they are maintained and date of corpsmember entry.

SAFEGUARDS:

Records are maintained in file folders during center use; health records are placed in sealed envelopes after termination; on magnetic tapes, computer data base, or discs; and are stored in locked filing cabinets with access to those whose official duties require access.

RETENTION AND DISPOSAL:

Corps centers will maintain records of terminated corpsmembers for a period of 3 years unless custodianship is extended or terminated by the regional office, for administrative reasons. Counseling records are retained on the Job Corps center for 6 months after corpsmember's termination, after which they are destroyed. After termination a summary or copy of the counseling is placed in the health record.

After 3 years, centers will then retire the records to the appropriate Federal Records center. In accordance with the National Archives and the Office of Job Corps, corpsmembers records are subject to destruction 75 years from the birth date of the youngest corpsmember's record contained in the GSA records retirement box, with the disposal authority being NC 369-76-2, item 59.

Centers will send a copy of the SF 135-135 A (transmittal and receipt form), to the regional office, after they have received the accession number from the appropriate Federal Records Center.

In the event of a corpsmember's death, the corpsmember's entire personnel record shall be sent to the US DOL National Health Office within 10 days of date of corpsmember's death. The corpsmember requests medical information in writing and is advised in writing that the information from the medical record(s) will be released to any physician who the corpsmember designates in writing. The physician does not release any information he/she considers potentially harmful to the corpsmember, and sends the rest of the material to the corpsmember.

All inquiries will be handled by the Systems Manager listed below.

SYSTEM MANAGER AND ADDRESS:

Director, Office of Job Corps, U.S. DOL/ETA, Frances Perkins Building, room N4508, 200 Constitution Avenue, NW., Washington, DC 20213.

NOTIFICATION PROCEDURES:

Requests for access of terminated corpsmember's records are to be directed to the appropriate US DOL Regional Job Corps Office, or to the System Manager at the above address. Requests for current records can be directed to the appropriate center director.

RECORD ACCESS PROCEDURES:

A request for access to a record from this system shall be made in writing to the System Manager, in accordance with rules and regulations of the Privacy Act of 1974, as amended, with the envelope and the letter clearly marked "Privacy Act Request", and the record sufficiently described in the letter for identification.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in this system should direct their request to the System Manager listed above, stating clearly and concisely what information is contested, the reasons for contesting the information, and the proposed amendment to the information sought. Details required for records identification are:

- (a) Full name(s) (i.e., name during enrollment)
- (b) SSN
- (c) Center(s) where enrolled
- (d) Date enrolled

RECORD SOURCE CATEGORIES:

Outreach/screening and placement contractors; Job Corps centers; Job Corps participants; employment services; parole officers; state and local law enforcement agencies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ETA-15**SYSTEM NAME:**

DOL/ETA Evaluation, Research, Pilot or Demonstration Contractors' Project Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Individual contractors' project work sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Participants in programs of the Job Training Partnership Act and other research, pilot or demonstration projects.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records in the system may include characteristics of program participants, description of program activities, services received by participants, program outcomes and participant follow-up information obtained after the completion of the program.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Part D, Title IV JTPA; Social Security Act sec. 441 and 906. (29 U.S.C. 1731-1735) and (42 U.S.C. 641 and 1106) respectively.

PURPOSE(S):

These records are used solely for statistical research or evaluation and are not used in any way for making any determination about an identifiable individual.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) To provide necessary data for the required evaluation of training programs, research, pilot and demonstration projects; (2) to combine records with additional data from administrative records of the Department of Labor and other agencies for statistical and evaluation purposes; and (3) to disclose information to any source in order to facilitate the collection of this additional information.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Records are maintained on magnetic tape and disks by the U.S. Bureau of the Census and various contractors.

RETRIEVABILITY:

Records are retrieved by participant characteristics, not by individual identifiers.

SAFEGUARDS:

Records are maintained on secure computer systems and can only be retrieved with the proper access code.

RETENTION AND DISPOSAL:

Records are retained by the contractors until the conclusion of the studies. After the conclusion of the studies the records are retired to the Federal Records Center for eventual disposal.

SYSTEM MANAGER(S) AND ADDRESS:

Administrator, Office of Strategic Planning and Policy Development,

Employment and Training Administration, Frances Perkins Building, 200 Constitution Ave., NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Address inquiries to the Administrator, Office of Strategic Planning and Policy Development, Employment and Training Administration, Frances Perkins Building, 200 Constitution Ave., NW., Washington, DC 20210.

RECORD ACCESS PROCEDURES:

Individuals wishing access to a record should contact the office indicated in the notification procedures section above. Individuals requesting access to records must comply with the office's Privacy Act regulations on verification of identity and access to records.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment to records should contact the office indicated in the notification procedures section.

RECORD SOURCE CATEGORIES:

Evaluation contractors project files, research contractors project files, and individual participants.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ETA-16**SYSTEM NAME:**

Employment and Training Administration Investigatory File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Division of Special Review and Internal Control, Employment and Training Administration, Frances Perkins Building, 200 Constitution Ave., NW., room N-4671, Washington DC 20210, and each of the Employment and Training Administration Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants, contractors, subcontractors, grantees, private organizations, the general public, ETA employees, and any alleged violators of ETA laws and regulations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records contained in this system pertain to reports of problems, abuses or deficiencies relative to the administration of programs and

operations of the agency, and of possible violations of Federal law whether civil or criminal; resolution of criminal or conduct violations, and information relating to investigations and possible violations of ETA administered programs and projects. Records are commonly referred to as incident reports, hotline complaints, investigative memoranda, etc.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

These records are maintained to ensure that all appropriate records of problems, abuses or deficiencies relative to the administration of programs and operations of the agency are retained and are available to agency, Departmental, or other Federal officials having a need for the information to support actions taken based on the records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USES AND THE PURPOSES OF SUCH USES:

The records and information in this system may be used to: (1) Provide information to Federal, State, or local government agencies for civil, criminal, or regulatory law enforcement; (2) provide information to contracting and grant officers for award and administration of grants and contracts; (3) disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation; (4) provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual when that individual is the subject of the record; (5) disclose pertinent information to private industry councils and service delivery areas as necessary to enforce ETA rules and regulations; and other uses noted in the prefatory statement.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Information in the system is stored in case files.

RETRIEVABILITY:

By name or individual case number.

SAFEGUARDS:

Information contained in the system is unclassified. It is maintained in locked file cabinets and is accessible to persons with a need to know the information in the performance of their official duties and responsibilities.

RETENTION AND DISPOSAL:

The records are retained for 5 years after the case is closed. The files are then sent to the Federal Records Center for eventual disposition.

SYSTEM MANAGER(S) NAME AND ADDRESS(ES):

Chief, Division of Special Review and Internal Control, 200 Constitution Ave., NW., Washington, DC 20210; and each Regional Administrator (or designee) of the ETA in the ten Regional Offices of the Department.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to the System Managers at the address shown above.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Program sponsors, contractors, complainants, witnesses, Office of the Inspector General and other Federal, State and local government records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT: INVESTIGATORY PORTION OF SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

(a) *Criminal law enforcement.* In accordance with paragraph 3(j)(2) of the Privacy Act, information maintained in this system of files is exempt from all provisions contained in 5 U.S.C. 552a except those requirements set forth in paragraphs (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11) and paragraph (i) of the Privacy Act. The disclosure of criminal investigatory information, if any, contained in the files, including the names of persons or agencies to whom the information has been transmitted would substantially compromise the effectiveness of any investigations. Knowledge of such investigations could enable subjects to take such action as is necessary to prevent detection of criminal activities, conceal evidence, or to escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families,

and could jeopardize the safety and well-being of investigative personnel and their families. The imposition of certain restrictions on the manner in which investigative information is collected, verified, and retained would impede significantly the effectiveness of investigatory activities, and in addition, may often preclude the apprehension and successful prosecution of persons engaged in fraud of the compensation program.

(b) *Other law enforcement.* In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes other than material declared exempt under paragraph 3(j)(2) of the Privacy Act, which is maintained in this system's files is exempt from paragraphs (c)(3), (d), (e)(4) (G), (H), and (I) and paragraph (f) of 5 U.S.C. 552a. The disclosure of civil investigatory information, if any, contained in this system's files, including the names of persons and agencies to whom the information has been transmitted, would substantially compromise the effectiveness of investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information would lead to the intimidation of, or harm to, informants, witnesses, and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families. The imposition of certain restrictions on the manner in which investigative information is collected, verified, and retained could also impede significantly the effectiveness of investigatory activities.

DOL/ETA-20

SYSTEM NAME:

Federal Bonding Program, Bondees Certification Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Punch Card Processing Co., 6675 New Hampshire Ave., Takoma Park, MD 20012, and the McLaughlin Co., Suite 514, 2000 L St., NW., Washington, DC 20036.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

State Job Service applicants who are eligible and need bonding to get a job.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal (name, SSN, employer name), employment date (DOT and SIC codes), employer data (address, city, State, ZIP code), amount of bond (expressed in \$500 units), cost of bond (expressed in units), effective date of bond, and termination date of bond.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Part D, Title IV, Job Training Partnership Act. (29 U.S.C. 1731-1735)

PURPOSE(S):

The purpose of these records is to provide information to the DOL project officer on the activities of the contracted project—the Federal Bonding Program. These records are used solely for statistical information and not used in any way for making any determination about an identifiable individual.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Disk Operated System (DOS) and printout.

RETRIEVABILITY:

Retrieved by assigned bond number.

SAFEGUARDS:

Locked in cabinets in offices of Federal, State, and private buildings.

RETENTION AND DISPOSAL:

States and regions dispose of data 3 years and older; punch card processing keeps master DOS of all bondees prior to 1980.

SYSTEM MANAGER(S) AND ADDRESS:

Administrator, Office of Strategic Planning and Policy Development, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Address inquiries to the system manager at 200 Constitution Ave., NW, Washington, DC 20210 as indicated above.

RECORD ACCESS PROCEDURES:

As noted in notification procedure above.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment to records should contact the office indicated in the notification procedures section.

RECORD SOURCE CATEGORIES:

State Job Service files, applicants for the bond and bonded employee's employer.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ETA-21**SYSTEM NAME:**

Employment and Training Administration Advisory Committees Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Program offices for Bureau of Apprenticeship and Training; Office of Job Training Programs; Unemployment Insurance; Office of Special Targeted Programs; U.S. Department of Labor/ETA, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former members of the committees established by ETA and candidates for a position on an advisory committee.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical information on individuals who are or have been members or are being considered for membership on the committees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To ensure that all appropriate records are retained and are available for official use in accordance with the requirements of the Federal Advisory Committee Act and GSA's Rule on Advisory Committee Management.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To maintain records in accordance with the requirements of the Federal Advisory Committee Act and GSA's Interim Rule on Advisory Committee Management. To prepare required reports to GSA and to the Congress. To answer membership inquiries from Departmental elements, from the

Congress, from public and private organizations and individuals. To provide a current list of qualified applicants for vacancies occurring on the committees.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Storage methods vary between program components, but the data will be stored either on magnetic tape or in a manual file, both of which are secured at all times. Also, a copy will be stored in the Executive Secretariat and will be secured with access to the records by means of identification number and password known only to the user and system manager.

RETRIEVABILITY:

Retrievable by member name or committee name, and via identification number if electronically maintained.

SAFEGUARDS:

Maintained in system manager's office with only authorized employees having access to the file on a need to know basis.

RETENTION AND DISPOSAL:

Records transferred to National Archives 5 years after member resigns from committee.

SYSTEM MANAGER(S) AND ADDRESS:

The system manager of each file is the Administrator of the Program Office involved, U.S. Department of Labor, Employment and Training Administration, Frances Perkins Building, 200 Constitution Ave., NW, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to the appropriate program system manager, or to the Freedom of Information Act/Privacy Act Coordinator, at U.S. Department of Labor/ETA, 200 Constitution Ave., NW, room N-4671, Washington, DC 20210.

RECORD ACCESS PROCEDURES:

As noted in notification procedure above.

CONTESTING RECORD PROCEDURES:

As noted in notification procedures above.

RECORD SOURCE CATEGORIES:

Information contained in this system is obtained from the individuals concerned.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/ETA-22**SYSTEM NAME:**

ETA Employee Conduct Investigations.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Offices in the Employment and Training Administration at the National Office and in each of the ten Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

ETA employee(s) against whom any allegation of misconduct, illegal acts, conflicts of interests, etc., has been made.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, organization and other information relating to the individual involved. It also contains investigative report(s) associated with the case, including interviews and other confidential data gathered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 7301, and Executive Order 11222.

PURPOSE(S):

These records are maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest, etc., are retained and are available to agency, Departmental, or other Federal officials having a need for the information in the performance of their official duties and to support actions taken based on the records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Disclosure to other Federal Agencies, including the Department of Justice, the FBI, and to any other Federal, State, and local government responsible for investigation or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license, (2) to a Federal Agency which has requested information relevant to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The records are stored in file folders in metal cabinets.

RETRIEVABILITY:

Filed by name or other identifying code such as a case file number.

SAFEGUARDS:

The files are maintained in locked file cabinets with access only to those with a need to know the information to perform their duties.

RETENTION AND DISPOSAL:

Completed investigations are disposed of after 20 years. Matters not subject to full investigations are disposed of after 10 years.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Special Review and Internal Control, 200 Constitution Ave., NW., N-4671, Washington, DC 20210, and appropriate Regional Offices.

NOTIFICATION PROCEDURE:

Inquiries should be mailed or presented to the system manager noted at the address noted above.

RECORD ACCESS PROCEDURES:

As noted in notification procedure.

CONTESTING RECORD PROCEDURES:

As noted in notification procedure.

RECORD SOURCE CATEGORIES:

Hotline complaints through the Office of the Inspector General's hotline; hotline complaints through the General Accounting Office's hotline system; incident reports submitted by other employees; and investigative reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), exempting this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), 3, (d), (e)(1), (4) (G), (H), (I), and (f) of the Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information than already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information.

DOL/ETA-23**SYSTEM NAME:**

Federal Committee on Apprenticeship (FCA).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Department of Labor (DOL); Employment and Training Job Office Training Programs, Bureau of Apprenticeship and Training, 200 Constitution Avenue, NW., room N-4649, Washington, DC 20010.

SECURITY CLASSIFICATION:

None.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former members of the Federal Committee on Apprenticeship and candidates applying for a position on the advisory committee.

CATEGORIES OF RECORDS IN THE SYSTEM:

Membership file listing name, address, occupation, committee name, and term of appointment. Biographical information on committee members and applicants.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

For ready access in preparing Advisory Committee reports as required by the Federal Advisory Committee Act and GSA's Interim Rule on Advisory Committee Management.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To maintain records in accordance with the requirements of the Federal Advisory Committee Act and GSA's Interim Rule on Advisory Committee Management. To prepare required reports to GSA and to the Congress. To answer membership inquiries from Departmental elements, from the Congress, from public and private organizations and individuals. To provide a current list of qualified applicants for vacancies which occur on the advisory committee.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

All data is stored on a disk which is located inside the processor, with magnetic tape backup. The hard copies will be stored in the Executive Secretariat and will be secured at all times, access to the records will be by means of identification number and password known only to the user and system manager.

RETRIEVABILITY:

Records will be retrievable by name or by any of the categories listed under "Categories of Records."

SAFEGUARDS:

The records are safeguarded by (1) user identification and password; (2) establishment of permission to view the file by the system or owner of the record; and (3) encryption of documents, records and data elements. All hard copies are stored in a locked storage area and are only accessible by permission of the Committee Management Coordinator.

RETENTION AND DISPOSAL:

Hardcopies will be sent to the Archives until such time as we receive instruction from Archives regarding the permanent retention of discs or magnetic tapes. Discs and tapes will be destroyed. Records are retired to the Federal Records Center within five years after a committee becomes inactive. All records over five years old may be retired to the Federal Records Center.

SYSTEM MANAGER(S) AND ADDRESS:

Executive Secretary and DOL Committee Management office, Department of Labor (DOL), 200 Constitution Avenue, NW., room N-4644, Washington, DC 20010.

NOTIFICATION PROCEDURE:

Any individual who wishes to be notified if the system of records contains a record pertaining to him/her may apply in writing to the system manager.

RECORD ACCESS PROCEDURES:

Any individual who wishes to review the contents of a record pertaining to him/her may apply in writing to the System Manager at the above address.

CONTESTING RECORD PROCEDURE:

Same as "Record Access procedures." Appeals should be directed to the Secretary of Labor if request for modification or deletion is denied.

RECORD SOURCE CATEGORIES:

Information contained in the system is obtained from (1) committee sponsor; (2) individuals who apply for advisory committee appointments, and (3) persons who recommend them for appointment. Each applicant must complete a Candidate Biographical Request for Name Check which contains all of the data to be stored in the "Categories of records," and the individual signs a permission statement authorizing the Department of Labor to retain such records.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OIG-1**SYSTEM NAME:**

General Investigative Files, Case Tracking Files, and Subject/Title Index, USDOL/OIG.

SECURITY CLASSIFICATION:

Sensitive.

SYSTEM LOCATION:

Office of Inspector General, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and in the OIG regional and field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employees, applicants, contractors, subcontractors, grantees, subgrantees, claimants, complainants, individuals threatening DOL employees or the Secretary of Labor, alleged violators of Labor laws and regulations, union officers, individuals investigated and interviewed, and individuals filing claims for entitlements or benefits under laws administered by the Department of Labor, individuals providing medical and other services to OWCP, employees of insurance companies and of medical and other services provided to OWCP, and other persons suspected of violations of law and related administrative, civil and criminal provisions.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains records related to administrative, civil and criminal investigations which include: Statements and other information from subjects, targets, and witnesses; material from governmental investigatory or law enforcement organizations (federal, state, local or international) and intelligence information; information of criminal, civil or administrative referrals and/or results of investigations; investigative notes and investigative reports;

summary information for indexing and cross referencing; reports and associated materials filed with DOL or other government agencies from, for example medical providers, grantees, contractors, employers or insurance companies; other evidence and background material existing in any form (i.e. audio or video tape, photographs, computer tapes or disks).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. App. 3 (IG Act); 5 U.S.C. 8101 *et seq.* (FECA); 5 U.S.C. 8401 *et seq.* (FERSA); 8 U.S.C. 1101 *et seq.* (IRCA); 18 U.S.C. 874 (Anti Kickback Act); 29 U.S.C. 49 *et seq.* (Wagner Peyser); 29 U.S.C. 201 *et seq.* (FSLA); 29 U.S.C. 401 *et seq.* (LMRDA); 29 U.S.C. 651 *et seq.* (OSHA); 29 U.S.C. 793 *et seq.* (Rehabilitation Act); 29 U.S.C. 1001 *et seq.* (ERISA); 29 U.S.C. 1501 *et seq.* (JTPA); 30 U.S.C. 801 *et seq.* (MSHA); 30 U.S.C. 901 *et seq.* (Black Lung); 31 U.S.C. 3701 *et seq.* (False Claims Act); 31 U.S.C. 3801 *et seq.* (Program Fraud Civil Remedies Act); 33 U.S.C. 901 *et seq.* (Longshore Compensation Act and extension); 40 U.S.C. 276a5 (Davis Bacon); 40 U.S.C. 276c (Copeland Act); 41 U.S.C. 35 *et seq.* (Walsh-Healy); 41 U.S.C. 351 *et seq.* (Service Contract Act); Title 18, United States Code (Criminal Code); and Secretary's Order 1-80 dated March 8, 1980 establishing the Office of Inspector General in the Department of Labor.

PURPOSE(S):

This system is established and maintained to fulfill the purposes of the Inspector General Act of 1978 and to fulfill the responsibilities assigned by that Act concerning investigative activities. The OIG initiates investigations on individuals, entities and programs and maintains information received and developed in this system during the time the investigation is performed and after each investigation is completed. This system is the repository of all information developed during the course of investigations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

A. Referral to federal, state, local and foreign investigative and/or prosecutive authorities.

A record from a system of records, which indicates either by itself or in combination with other information within the agency's possession a violation or potential violation of law, whether civil, criminal or regulatory and whether arising by general statute or particular program statute, or by

regulation, rule or order issued pursuant thereto, may be disclosed as a routine use, to the appropriate federal, foreign, state or local agency or professional organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing or investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

B. Introduction to a grand jury.

A record from a system of records may be disclosed, as a routine use, to a grand jury agent pursuant either to a federal or state grand jury subpoena or to a prosecution request that such record be released for the purpose of its introduction to a grand jury.

C. Referral to suspension/debarment authorities.

A record from a system of records may be disclosed, as a routine use, to any federal agency responsible for considering suspension/debarment actions where such record would be germane to a determination of the propriety/necessity for such an action.

D. Referral to federal, state, local and professional licensing boards.

A record from a system of records may be disclosed, as a routine use, to any governmental, professional, or licensing authority when such record reflects on the qualifications, either moral, educational or vocational, of an individual seeking to be licensed or maintain a license.

E. Disclosure to contractor, grantee or other direct recipient of federal funds to allow such entity to effect corrective action in agency's best interest.

A record from a system of records may be disclosed, as a routine use, to any direct or indirect recipient of federal funds where such record reflects serious inadequacies with a recipient's personnel, and disclosure of the record is made to permit a recipient to take corrective action beneficial to the Government.

F. Disclosure to any source, either private or governmental, to the extent necessary to solicit information relevant to any investigation or audit.

A record from a system of records may be disclosed, as a routine use, to any source, either private or governmental, to the extent necessary to secure from such source information relevant to and sought in furtherance of a legitimate investigation or audit.

G. Disclosure to domestic or foreign governmental agencies for personnel or other action.

A record from a system of records may be disclosed, as a routine use, to a

federal, state, local, foreign or international agency, for their use in connection with such entity's assignment, hiring or retention of an individual, issuance of a security clearance, reporting of an investigation of an individual, letting of a contract or issuance of a license, grant or other benefit, to the extent that the information is relevant and necessary to such agency's decision on the matter.

H. Disclosure to Office of Government Ethics.

A record from a system of records may be disclosed, as routine use, to the Office of Government Ethics for any purpose consistent with that office's mission, including the compilation of statistical data.

I. Disclosure to a board of contract appeals, GAO or any other entity hearing a contractor protest or dispute.

A record from a system of records may be disclosed, as a routine use, to the United States General Accounting Office, to a board of contract appeals, or to the claims court in bid protest cases or contract dispute cases involving procurement.

J. Disclosure to Congress in Semiannual report or otherwise.

A record from a system of records may be disclosed, as a routine use, to Congress through incorporation in the statutorily mandated IG semiannual report, a seven day letter or in response to a request from a properly authorized oversight committee or committee member.

K. Disclosure to domestic or foreign governmental law enforcement agency in order to obtain information relevant to an OIG or DOL decision.

A record from a system of records may be disclosed, as a routine use, to a domestic or foreign governmental agency maintaining civil, criminal or other relevant enforcement information, or other pertinent information, in order to obtain information relevant to an OIG or DOL decision concerning the assignment, hiring, or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit, or which may be relevant to an OIG or DOL investigation or audit.

L. Disclosure to DOJ for advice, including FOIA.

A record from a system of records may be disclosed, as a routine use, to the U.S. Department of Justice in order to obtain advice regarding civil, criminal and administrative law questions and regarding disclosure obligations under the Freedom of Information Act.

M. Disclosure to OMB or DOJ regarding Privacy Act advice.

A record from a system of records may be disclosed, as a routine use, to the Office of Management and Budget or the Department of Justice in order to obtain advice regarding statutory obligations under the Privacy Act.

N. Disclosure to a member of Congress making a request at the behest of a party protected under the Privacy Act.

A record from a system of records may be disclosed, as a routine use, to a Member of Congress who submits an inquiry on behalf of an individual when the Member of Congress informs the appropriate agency official that the individual to whom the record pertains has authorized the Member of Congress to have access. In such cases, the member has no greater right to the record than does the individual.

O. Disclosure pursuant to the receipt of a valid subpoena.

A record from a system of records may be disclosed, as a routine use, in response to a facially valid subpoena for the record. Disclosure may also be made when a subpoena or order is signed by a judge from a court of competent jurisdiction.

P. Disclosure to Treasury and DOJ in pursuance of an *ex parte* court order to obtain taxpayer information from the IRS.

A record from a system of records may be disclosed, as a routine use, to the Department of Treasury and the Department of Justice when the OIG seeks an *ex parte* court order to obtain taxpayer information from the Internal Revenue Service.

Q. Disclosure to debt collection contractors or government agencies for purposes of delinquent debt collection.

A record from a system of records may be disclosed, as a routine use, to debt collection contractors or federal or state agencies when collection of delinquent debts is authorized by the Debt Collection Act of 1982, 31 U.S.C. 3718.

R. Disclosure to a consumer reporting agency in order to obtain relevant investigatory information.

A record from a system of records may be disclosed, as a routine use, to a "consumer reporting agency" as that term is defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)), for the purposes of obtaining information in the course of an investigation or audit.

S. Disclosure in accordance with computer matching guidelines and/or laws.

A record may be disclosed to a federal, state, or local agency for use in

computer matching programs to prevent and detect fraud and abuse in benefit programs administered by those agencies, to support civil and criminal law enforcement activities of those agencies and their components, and to collect debts and overpayments owed to the agencies and their components. This routine use does not provide unrestricted access to records for such law enforcement and related anti-fraud activities; each request for disclosure will be considered in light of the applicable legal and administrative requirements for the performance of a computer matching program or procedure.

T. Disclosure to any court or adjudicative body during the course of any litigation to which the agency is a party or has an interest.

A record may be disclosed in a proceeding before a court or adjudicative body (i.e. MSPB or FLRA) before which the DOL or OIG is authorized to appear, or in the course of settlement negotiations with opposing counsel, when—

(1) The DOL or OIG, or any component thereof; or (2) any employee of the DOL in his or her official capacity; or (3) any employee of the DOL in his or her individual capacity, where the DOL or DOJ has agreed to or is considering representation of the employee; or (4) the United States, where the DOL or OIG determines that litigation is likely to affect the DOL or OIG or any of its components is a party to litigation or has an interest in such litigation, and the DOL or OIG determines that the use of such records is relevant and necessary to the litigation; provided, however, that in each case the DOL or OIG determines that disclosure of the records is a use of the information that is compatible with the purpose for which the records were collected.

U. Disclosure to DOL or another federal agency's legal representative, to include the Department of Justice and other outside counsel, where DOL is a party in litigation or has an interest in litigation.

A record may be disclosed to the Department of Justice or federal agency's legal representative when—

(1) The DOL or OIG, or any component thereof; or (2) any employee of the DOL or OIG in his or her official capacity; or (3) any employee of the DOL or OIG in his or her individual capacity, where the Department of Justice has agreed or is considering a request to represent the employee; or (4) the United States, where the DOL or OIG determines that litigation is likely to affect the DOL or OIG or any of its components is a party to litigation or

has an interest in such litigation, and the DOL or OIG determines that the use of such records by the Department of Justice is relevant and necessary to the litigation; provided, however, that in each case, the DOL or OIG determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSAL OF RECORDS IN THE SYSTEM:

STORAGE:

The information is maintained in a variety of mediums including paper, microfilm, magnetic tapes or discs, and optical digital data discs. The records are maintained in limited access areas during duty hours and in locked offices at all other times.

RETRIEVABILITY:

The written case records are indexed by case number, while file cards are indexed by subject name. Automated records are retrieved by case number, case name, subject, or batch retrieval applications.

SAFEGUARDS:

Direct access is restricted to authorized staff members of the OIG their attorneys or contractor employees on a need-to-know basis. Automated records can be accessed only through use of confidential procedures and passwords.

RETENTION AND DISPOSAL:

Records are disposed of as provided in National Archives and Records Administration General Records Schedule 25.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Inspector General for Investigations; Assistant Inspector General for Labor Racketeering; and Director, Office of Program Fraud Audits; Office of Inspector General; U.S. Department of Labor; room S-1303; 200 Constitution Avenue NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries concerning this system of records can be directed to: Disclosure Officer, Office of Inspector General, U.S. Department of Labor, room S1303, 200 Constitution Avenue NW., Washington, DC 20210. Inquiries must comply with the requirements in 29 CFR 709.4 and 5.

RECORD ACCESS PROCEDURE:

Individuals can request access to any record pertaining to him/her by mailing a request to the Disclosure Officer listed above under "Notification Procedure." See 29 CFR 70a.4 and 70a.5.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the Disclosure Officer listed in "Notification Procedure," above. In addition, the request should state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. See 29 CFR 70a.7.

RECORD SOURCE CATEGORIES:

The information contained in this system is received from individual complaints, witnesses, interviews conducted during investigations, Federal, state and local government records, individual or company records, claim and payment files, employer medical records, insurance records, court records, articles from publications, published financial data, corporate information, bank information, telephone data, insurers, service providers, grantees, subgrantees, contractors and subcontractors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Labor has promulgated regulations which exempt information contained in this system of records from various provisions of the Privacy Act depending upon the purpose for which the information was gathered and for which it will be used. The various law enforcement purposes and the reasons for the exemptions are as follow:

(a) *Criminal Law Enforcement.* Information compiled for this purpose is exempt from all of the provisions of the Act except the following sections: (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). This material is exempt because the disclosure and other requirements of the Act would substantially compromise the efficacy and integrity of OIG operations in a number of ways. Indeed, disclosure of even the existence of these files would be problematic.

Disclosure could enable suspects to take action to prevent detection of criminal activities, conceal evidence, or escape prosecution. Required disclosure of information contained in this system could lead to the intimidation of, or harm to, informants, witnesses and their respective families or OIG personnel

and their families. Disclosure could invade the privacy of individuals other than subjects and disclose their identity when confidentiality was promised or impliedly promised to them. Disclosure could interfere with the integrity of information which would otherwise be privileged, (see, e.g., 5 U.S.C. 552(b)(5)), and which could interfere with other important law enforcement concerns: (see, e.g., 5 U.S.C. 552(b)(7)).

The requirement that only relevant and necessary information be included in a criminal investigative file is contrary to investigative practice which requires a full and complete inquiry and exhaustion of all potential sources of information. See, 5 U.S.C. 552a(e)(1). Similarly, maintaining only those records which are accurate, relevant, timely and complete and which assure fairness in a determination is contrary to established investigative techniques. See, 5 U.S.C. 552a(e)(5). Requiring investigators to obtain information to the greatest extent practicable directly from the subject individual would be counterproductive to performance of clandestine criminal investigation. See, U.S.C. 552a(e)(2). Finally, providing notice to an individual interviewed of the authority of the interviewer, the purpose to which the information provided may be used, the routine uses of that information and the effect upon the individual should he/she choose not to provide the information sought could discourage the free flow of information in a criminal law enforcement inquiry. 5 U.S.C. 552a(e)(3).

(b) *Other Law Enforcement.* In accordance with 5 U.S.C. 552a(k)(2), investigatory material compiled for law enforcement purposes (to the extent it is not already exempted by 5 U.S.C. 552a(j)(2)), is exempted from the following provisions of the Act: (c)(3), (d), (e)(4) (G), (H) and (I), and (f). This material is exempt because the disclosure and other requirements of the Act could substantially compromise the efficacy and integrity of OIG operations. Disclosure could invade the privacy of other individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to privileges, see, e.g., 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns. See, e.g., 5 U.S.C. 552(b)(7).

(c) *Protective Services.* In accordance with 5 U.S.C. 552(k)(3) investigatory material maintained in connection with assisting the U.S. Secret Service to provide protective services to the President of the United States or other

individuals pursuant to 18 U.S.C. 3056 is exempt from the following sections of the Act: (c)(3), (d), (e)(4) (G), (H) and (I), and (f). This material is exempt in order to enable the OIG to continue its support of the Secret Service without compromising the effectiveness of either agency's activities.

(d) *Contract Investigations.* In accordance with 5 U.S.C. 552a(k)(5), investigatory material compiled solely for the purpose of determining integrity, suitability, eligibility, or qualifications for a DOL contract is exempt from the following sections of the Act: (c) (3), (d), and (f). This exemption was obtained in order to protect from disclosure the identity of a confidential source when an express promise of confidentiality has been given in order to obtain information from sources who would otherwise be unwilling to provide necessary information. See 29 CFR 70a.13(b)(iv).

DOL/OIG-2

SYSTEM NAME:

Freedom of Information/Privacy Acts Records.

SECURITY CLASSIFICATION:

Sensitive.

SYSTEM LOCATION:

Freedom of Information/Privacy Acts Disclosure Office, Office of Inspector General, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who request disclosure of records pursuant to the Freedom of Information Act, persons who request access to or correction of records pertaining to themselves contained in the Office of Inspector General's systems of records pursuant to the Privacy Act; where applicable, persons about whom records have been requested or about whom information is contained in requested records; and persons representing those identified above.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains (a) copies of all correspondence and internal memorandums related to the Freedom of Information Act and Privacy Act requests, and related records necessary to the processing of such requests; (b) copies of all documents relevant to appeals and lawsuits under the Freedom of Information and Privacy Acts.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Freedom of Information Act, 5 U.S.C. 552, the Privacy Act, 5 U.S.C. 552a and 29 CFR Parts 70 and 70a.

PURPOSE(S):

This system of records is maintained in order to accurately reflect the identity of requestors, the substance of each request, the responses made by the OIG and in order to comply with the reporting and accounting requirements of the Freedom of Information and Privacy Acts. Materials within this system also reflect the reasons for the disclosure and/or denial of requests or portions of requests and any further action on requests which may be appealed and/or litigated.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Please see the routine uses in DOL/OIG-1, above.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records in this system are maintained in a variety of mediums including paper, microfilm, magnetic tapes or discs, and optical digital data discs.

RETRIEVABILITY:

A record is retrieved by the name of the individual or person making a request for access or correction of records or by other subject matter covered by the request.

SAFEGUARDS:

This system of records is maintained at OIG Headquarters which is located in a building protected by twenty-four hour guard service. In addition, the system is stored in Conserva-File(s) and Safe(s) and access is restricted to the staff of the Freedom of Information/Privacy Acts Disclosure Officer on a need-to-know basis.

RETENTION AND DISPOSAL:

Individual case files are disposed of in accordance with General Records Schedule 14, items 16-25.

SYSTEM MANAGER(S) AND ADDRESS:

Disclosure Officer, Office of Inspector General, U.S. Department of Labor, room S1303, 200 Constitution Avenue NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries concerning this system can be directed to: Disclosure Officer, Office of Inspector General, 200 Constitution Avenue NW., Washington, DC 20210. Inquiries must comply with the requirements in 29 CFR 70a.4.

RECORD ACCESS PROCEDURES:

Individuals can request access to any record pertaining to him/her by mailing a request to the Disclosure Officer listed above under "Notification Procedure." See 29 CFR 702.4 and 702.5.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their written request to the Disclosure Officer listed in "Notification Procedure" above. In addition, the request should state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought. See 29 CFR 70a.7.

RECORD SOURCE CATEGORIES:

The information contained in this system is received from the persons or entities making requests, the systems of records searched to respond to requests, and other agencies referring requests for access or correction of records originating in the Office of Inspector General.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Some records obtained and stored in this system originate from other systems of records and have been exempted under the provisions of the Freedom of Information/Privacy Acts to the same extent as the systems of records from which they were obtained.

DOL/OIG-3**SYSTEM NAME:**

Case Development Records.

SECURITY CLASSIFICATION:

Sensitive.

SYSTEM LOCATION:

Office of Inspector General, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210 and in the OIG regional and field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals known or suspected of being involved in or associated with labor racketeering or other criminal activity, and informants.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system of records contains materials related to criminal and civil

investigations which include: Intelligence and other background information; statements and other material from subjects and witnesses; information from government investigatory or law enforcement organizations (federal, state, local or international); investigative notes and reports; summary information for indexing and cross-referencing; other evidence and background materials existing in any form (e.g. audio or video tape, photographs, computer tapes or disks).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. App 3, the Act of March 4, 1913 (37 Stat. 736) 29 U.S.C. 551, Secretary's Order 1-80 dated March 6, 1980 establishing the Office of Inspector General at the Department of Labor.

PURPOSE(S):

This system of records is maintained as a repository for: (1) Records created as a result of targeting, surveys and projects for the development of cases and investigations for the Office of Investigations and for the Office of Labor Racketeering; (2) intelligence information concerning individuals identified as potential violators of criminal, labor and labor-related laws and other individuals associated with them; and (3) for other research and analysis.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Please see the routine uses in DOL/OIG-1, above.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The records are stored on a variety of mediums including paper, microfilm, magnetic tapes or discs, and/or optical digital data discs.

RETRIEVABILITY:

Retrievable by name of individual subject, other personal identifiers and other non-personal elements.

SAFEGUARDS:

Available on an official need-to-know basis and kept in locked storage when not in use.

RETENTION AND DISPOSAL:

Records are disposed of as provided in National Archives and Records

Administration General Records Schedule 25.

SYSTEM MANAGER AND ADDRESS:

Assistant Inspector General for the Office of Labor Racketeering and Assistant Inspector General for Investigations, OIG/DOL, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries concerning this system can be directed to: Disclosure Officer, OIG, 200 Constitution Avenue, NW., Washington, DC 20210. Inquiries must comply with the requirements in 29 CFR 70a.4 and 70a.5.

RECORD ACCESS PROCEDURE:

Individuals can request access to any record pertaining to him/her by mailing a request to the Disclosure Officer listed above under "Notification Procedure" See 29 CFR 70a.4 and 70a.5.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the Disclosure Officer listed in "Notification Procedure," above. In addition, the request should state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment sought for the information. See 29 CFR 70a.7.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Labor has promulgated regulations which exempt information contained in this system of records from various provisions of the Privacy Act depending upon the purpose for which the information was gathered and for which it will be used. The various law enforcement purposes and the reasons for the exemptions are as follow:

(a) *Criminal Law Enforcement.* Information compiled for this purpose is exempt from all of the provisions of the Act except the following sections: (b), (c) (1) and (2), (e)(4) (A) through (F), (e)(6), (7), (9), (10), and (11), and (i). This material is exempt because the disclosure and other requirements of the Act would substantially compromise the efficacy and integrity of OIG operations in a number of ways. Indeed, disclosure of even the existence of these files would be problematic.

Disclosure could enable suspects to take action to prevent detection of criminal activities, conceal evidence, or escape prosecution. Required disclosure of information contained in this system could lead to the intimidation of, or

harm to, informants, witnesses and their respective families or OIG personnel and their families. Disclosure could invade the privacy of individuals other than subjects and disclose their identity when confidentiality was promised to them. Disclosures from these files could interfere with the integrity of other information which would otherwise be privileged, *see, e.g.*, 5 U.S.C. 552(b)(5) and which could interfere with other important law enforcement concerns, *see, e.g.*, 5 U.S.C. 552(b)(7).

The requirement that only relevant and necessary information be included in a criminal investigative file is contrary to good investigative practices which require a full and complete inquiry and exhaustion of all potential sources of information. 5 U.S.C. 552a(e)(1). Similarly, maintaining only those records which are accurate, relevant, timely and complete and which assure fairness in a determination is contrary to established investigative techniques. 5 U.S.C. 552a(e)(5). Requiring investigators to obtain information to the greatest extent practicable directly from the subject individual would be counterproductive to performance of a clandestine criminal investigation. 5 U.S.C. 552a(e)(2). Finally, providing notice to an individual interviewed of the authority of the interviewer, the purpose to which the information provided may be used, the routine uses of that information and the effect upon the individual should he choose not to provide the information sought could discourage the free flow of information in a criminal law enforcement inquiry. 5 U.S.C. 552a(e)(3).

(b) *Other Law Enforcement.* In accordance with 5 U.S.C. 552a(k)(2), investigatory material compiled for law enforcement purposes (to the extent it is not already exempted by 5 U.S.C. 552a(j)(2)), is exempted from the following provisions of the Act: (c)(3), (d), (e)(4) (G), (H), (I) and (F). This material is exempt because the disclosure and other requirements of the act could substantially compromise the efficacy and integrity of OIG operations. Disclosure could invade the privacy of other individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to privileges, *see, e.g.*, 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns. *See, e.g.*, 5 U.S.C. 552(b)(7).

DOL/OIG-4

SYSTEM NAME:

Temporary Matching Files.

SECURITY CLASSIFICATION:

Sensitive.

SYSTEM LOCATION:

Office of the Inspector General, U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employees, applicants, contractors, subcontractors, union officials, and those individuals or organizations filing for or receiving benefits from a program funded, operated in whole or in part or overseen by the Department of Labor, including grantees, subgrantees, claimants, representatives, beneficiaries and their dependents, providers of medical, legal, insurance, or other services.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains information derived from reports, applications, bids and other information filed with or compiled by or available to the Department of Labor or other Federal, state or local government or other agencies, records of contractors, subcontractors, grantees, subgrantees, employers, employee organizations, court records, medical providers, insurers, corporations, banks, pension plans, public sources or from individuals with pertinent knowledge.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. App 3, 5 U.S.C. 552a, and Pub. L. 100-503 amending the Privacy Act and OMB Computer Matching Guidelines and checklist.

PURPOSE(S):

This system of records is maintained as an interim repository for those computer and other records used for performing computer matching functions, an investigatory/law enforcement tool used to test for fraud and abuse in benefit programs administered or overseen by DOL, to support civil and criminal law enforcement activities, and to collect debts and overpayments.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Please see the routine uses in DOL/OIG-1, above.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are stored on a variety of mediums including paper, microfilm, magnetic tapes or discs, and/or optical digital data discs.

RETRIEVABILITY:

The records in this system are retrieved by computer and manually using name, social security number or other personal identifier.

SAFEGUARDS:

Direct access is restricted to authorized staff members and contracts of the OIG.

RETENTION AND DISPOSAL:

Records are disposed of as provided in National Archives and Records Administration General Records Schedule 25.

SYSTEM MANAGER AND ADDRESS:

Disclosure Officer, Office of Inspector General, USDOL, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Inquiries concerning this system can be directed to: Disclosure Officer, OIG, 200 Constitution Avenue, NW., Washington, DC 20210. Inquiries must comply with the requirements in 29 CFR 70a.4 and 70a.5.

RECORD ACCESS PROCEDURE:

Individuals can request access to any record pertaining to him/her by mailing a request to the Disclosure Officer listed above under "Notification Procedure" *See* 29 CFR 70a.4 and 70a.5.

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct their request to the Disclosure Officer listed in "Notification Procedure," above. In addition, the request should state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment sought for the information. *See* 29 CFR 70a.7.

RECORDS SOURCE CATEGORIES:

Information contained in this system is obtained from federal, state and local government records, individual or company records, industrial or trade union records employees, insurers, service providers, grantees, subgrantees, contractors, subcontractors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Labor has promulgated regulations which exempt information contained in this system of records from various provisions of the Privacy Act depending upon the purpose for which the information was gathered and for which it will be used. The various law enforcement purposes and the reasons for the exemptions are as follows:

(a) *Criminal Law Enforcement.* Information compiled for this purpose is exempt from all of the provisions of the Act except the following sections: (b), (c) (1) and (2), (e)(4) (A) through (F), (e)(6), (7), (9), (10), and (11), and (i). This material is exempt because the disclosure and other requirements of the Act would substantially compromise the efficacy and integrity of OIG operations in a number of ways. Indeed, disclosure of even the existence of these files would be problematic.

Disclosure could enable suspects to take action to prevent detection of criminal activities, conceal evidence, or escape prosecution. Required disclosure of information contained in this system could lead to the intimidation of, or harm to, informants, witnesses and their respective families or OIG personnel and their families. Disclosure could invade the privacy of individuals other than subjects and disclose their identity when confidentiality was promised to them. Disclosures from these files could interfere with the integrity of other information which would otherwise be privileged, *see, e.g.,* 5 U.S.C. 552(b)(5) and which could interfere with other important law enforcement concerns, *see, e.g.,* 5 U.S.C. 552(b)(7).

The requirement that only relevant and necessary information be included in a criminal investigative file is contrary to good investigative practices which require a full and complete inquiry and exhaustion of all potential sources of information. 5 U.S.C. 552a(e)(1). Similarly, maintaining only those records which are accurate, relevant, timely and complete and which assure fairness in a determination is contrary to established investigative techniques. 5 U.S.C. 552a(e)(5). Requiring investigators to obtain information to the greatest extent practicable directly from the subject individual would be counterproductive to performance of a clandestine criminal investigation. 5 U.S.C. 552a(e)(2). Finally, providing notice to an individual interviewed of: the authority of the interviewer, the purpose to which the information provided may be used, the routine uses of that information and the effect upon the individual should he

choose not to provide the information sought could discourage the free flow of information in a criminal law enforcement inquiry. 5 U.S.C. 552a(e)(3)

(b) *Other Law Enforcement.* In accordance with 5 U.S.C. 552a(k)(2), investigatory material compiled for law enforcement purposes (to the extent it is not already exempted by 5 U.S.C. 552a(j)(2)), is exempted from the following provisions of the Act: (c)(3), (d), (e)(4) (G), (H), and (I), and (f). This material is exempt because the disclosure and other requirements of the Act could substantially compromise the efficacy and integrity of OIG operations. Disclosure could invade the privacy of other individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to privileges, *see, e.g.,* 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns. *See, e.g.,* 5 U.S.C. 552(b)(7)

DOL/OIG-5**SYSTEM NAME:**

Investigative Case Tracking Systems/
Audit Information Reporting Systems,
USDOL/OIG.

SECURITY CLASSIFICATION

Sensitive.

SYSTEM LOCATION:

Office of Inspector General, U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210 and the OIG regional and field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Auditors, investigators, certain administrative support staff and contractors of the Office of Inspector General.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records or information contained in the system may include: (1) Employee or OIG contractor; (2) social security number; (3) grade/step; (4) training; (5) other details; (6) audit and investigative case tracking data (e.g. audit/investigative case number, program, findings, results, etc.) on audits/investigations; (7) other statistical information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 95-452, 5 U.S.C. App. 3, Inspector General Act of 1978. Training Act Secretary's Order 1-80 dated March 6, 1980 establishing the Office of

Inspector General at the Department of Labor.

PURPOSE(S):

This system is maintained in order to act as a management information system for OIG projects, cases and personnel.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Please see the routine uses in DOL/OIG-1, above.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The records are stored on a variety of mediums including paper, microfilm, magnetic tapes or discs, and optical digital data discs.

RETRIEVABILITY:

Records are retrieved by computer using individual name(s) or project/case name.

SAFEGUARDS:

Direct access is restricted to authorized staff members and contractors of the OIG. Automated records can be accessed only through use of confidential procedures and passwords by authorized personnel in both OIG Headquarters and regional and field offices.

RETENTION AND DISPOSAL:

Records are disposed of as provided in National Archives and Records Administration General Records Schedule 25.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Inspector General for Investigations, Assistant Inspector General for Audit and Assistant Inspector General for Labor Racketeering, Assistant Inspector General, Office of Resource Management and Legislative Assessment, Office of Inspector General, 200 Constitution Avenue NW., Washington, DC 20210.

RECORDS SOURCE CATEGORIES:

Official personnel folders; other personnel documents, activity supervisors, audit/investigation report standard forms.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Secretary of Labor has promulgated regulations which exempt information contained in this system of records from various provisions of the Privacy Act depending upon the purpose for which the information was gathered and for which it will be used.

The various law enforcement purposes and the reasons for the exemptions are as follow:

(a) *Criminal Law Enforcement.* Information compiled for this purpose is exempt from all of the provisions of the Act except the following sections: (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). This material is exempt because the disclosure and other requirements of the Act would substantially compromise the efficacy and integrity of OIG operations in a number of ways. Indeed, disclosure of even the existence of these files would be problematic.

Disclosure could enable suspects to take action to prevent detection of criminal activities, conceal evidence, or escape prosecution. Required disclosure of information contained in this system could lead to the intimidation of, or harm to, informants, witnesses and their respective families or OIG personnel and their families. Disclosure could invade the privacy of individuals other than subjects and disclose their identity when confidentiality was promised to them. Disclosures from these files could interfere with the integrity of other information which would otherwise be privileged, *see, e.g.,* 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns, *see, e.g.,* 5 U.S.C. 552(b)(7).

The requirement that only relevant and necessary information be included in a criminal investigative file is contrary to good investigative practices which require a full and complete inquiry and exhaustion of all potential sources of information. 5 U.S.C. 552a(e)(1). Similarly, maintaining only those records which are accurate, relevant, timely and complete and which assure fairness in a determination is contrary to established investigative techniques. 5 U.S.C. 552a(e)(5). Requiring investigators to obtain information to the greatest extent practicable directly from the subject individual would be counterproductive to performance of a clandestine criminal investigation. 5 U.S.C. 552a(e)(2). Finally providing notice to an individual interviewed of: the authority of the interviewer, the purpose to which the information provided may be used, the routine uses of that information and the effect upon the individual should he

choose not to provide the information sought could discourage the free flow of information in a criminal law enforcement inquiry. 5 U.S.C. 552a(e)(3)

(b) *Other Law Enforcement.* In accordance with 5 U.S.C. 552a(k)(2), investigatory material compiled for law enforcement purposes (to the extent it is not already exempted by 5 U.S.C. 552a(j)(2)), is exempted from the following provisions of the Act: (c)(3), (d), (e)(4) (G), (H), and (I), and (f). This material is exempt because the disclosure and other requirements of the Act could substantially compromise the efficacy and integrity of OIG operations. Disclosure could invade the privacy of other individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to privileges, *see, e.g.,* 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns. *See, e.g.,* 5 U.S.C. 552(b)(7)

(c) *Protective Services:* In accordance with 5 U.S.C. 552a(k)(3) investigatory material maintained in connection with assisting the U.S. Secret Service to provide protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056 is exempt from the following section of the Act: (c)(3), (d), (e)(4) (G), (H), and (I), and (f). This material is exempt in order to enable the OIG to continue its support of the Secret Service without compromising the effectiveness of either agency's activities.

(d) *Contract Investigations.* In accordance with 5 U.S.C. 552a(k)(5) investigatory material compiled solely for the purpose of determining integrity, suitability, eligibility, or qualifications for a DOL contract is exempt from the following sections of the Act: (c)(3), (d), and (f). This exemption was obtained in order to protect from disclosure the identity of a confidential source when an express promise of confidentiality has been given in order to obtain information from sources who would otherwise be unwilling to provide necessary information. *See* 29 CFR 70a.13 (b)(2)(iv).

DOL/OLMS-1**SYSTEM NAME:**

Investigative Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The Area and District Offices of the Office of Labor-Management Standards listed in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Union officials, individuals investigated, and individuals interviewed.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records compiled in connection with investigations conducted under the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), and under the standards of conduct provisions of the Civil Service Reform Act of 1978 (CSRA) and Foreign Service Act of 1980 (FSA) and the implementing regulations at 29 CFR part 458.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 401 et. seq., 5 U.S.C. 7120, 22 U.S.C. 4117, 29 CFR part 458.

PURPOSE(S):

Records are compiled in connection with enforcement of the LMRDA and the standards of conduct provisions of the CSRA and FSA and the implementing regulations at 29 CFR part 458.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files and manual and computer indices.

RETRIEVABILITY:

By name of individual, corporate names, and union names.

SAFEGUARDS:

Access is restricted to authorized personnel.

RETENTION AND DISPOSAL:

Records pertaining to open investigations are retained in the Area and District offices. OLMS is presently devising a new records retention and disposal schedule for records relating to closed cases. Records having historical value are retained indefinitely.

SYSTEM MANAGERS AND ADDRESSES:

OLMS Area Administrators and District Directors at the addresses listed in the appendix.

NOTIFICATION PROCEDURE:

None.

RECORDS ACCESS PROCEDURE:

None.

CONTESTING RECORD PROCEDURE:

None.

RECORD SOURCE CATEGORIES:

None.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

This system of records is maintained to support criminal enforcement activity, primarily in connection with the investigative responsibilities of OLMS under titles II, V, and VI of the LMRDA. Pursuant to 5 U.S.C. 552a(j)(2) it is exempt from all provisions of the Privacy Act except the following: 5 U.S.C. 552a(b), (c) (1), and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (j).

In accordance with 5 U.S.C. 552a(k)(2) records within this system pertaining to other, noncriminal law enforcement activity are exempt from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). OLMS noncriminal enforcement activity relates primarily to the civil provisions of the LMRDA and to the standards of conduct provisions governing labor organizations subject to the CSRA and FSA.

Exemption under 5 U.S.C. 552a (j)(2) and (k)(2) of information within this system of records is necessary to undertake the investigative and enforcement responsibilities of OLMS, to prevent individuals from frustrating the investigatory process, to prevent subjects of investigation from escaping prosecution of avoiding civil enforcement, to prevent disclosure of investigative techniques, to protect the confidentiality of witnesses and informants and to protect the safety and well-being of witnesses, informants, and law enforcement personnel, and their families.

LABOR/MSHA-1**SYSTEM NAME:**

Coal and Metal and Nonmetal Mine Accident and Injury.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Department of Labor, Mine Safety and Health Administration, Safety and Health Technology Center, 730 Simms Street, Lakewood, Colorado 80401-4720.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individual workers in the coal and metal and nonmetal mining industries.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain accident, injury, and occupational illness data which includes the mine name and identification number; date, time, and place of occurrence; type and description of accident; and name and social security number of injured miner.

For 1978 and subsequent years, only the last four digits of the social security number are in the records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 813.

PURPOSE:

The collection of this data provides MSHA timely information for making decisions on improving safety and health enforcement programs, improving education and training efforts, and establishing priorities in technical assistance activities in the mining industry.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are (a) to determine probable cause of accidents, injuries, and illnesses and (b) to provide a statistical analytic data base for allocation of MSHA and other resources to reduce occupational injuries and illnesses. Disclosures outside the Department of Labor may be made (1) to the U.S. Department of Justice when related to litigation or anticipated litigation; (2) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual—in file folders, Computer—magnetic media.

RETRIEVABILITY:

Indexed and filed by mine identification number and date of accident and injury occurrence or illness diagnosis. Accessed by mine identification, date of accident and social security number of individual(s) involved.

SAFEGUARDS:

Computer—In accordance with the National Bureau of Standards publication "computer security Guidelines for implementing the Privacy Act of 1974". Manual—Locked file cabinets. During working hours hard copy files are accessible only to authorized personnel.

RETENTION AND DISPOSAL:

Source documents are retained for 5 years after year of record then

destroyed. Records in magnetic media are erased 5 years after year of record.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Safety and Health Technology Center, 730 Simms Street, Lakewood, Colorado 80401-4720.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

RECORD SOURCE CATEGORIES:

Information in these records is obtained from accident, injury, illness and fatality reports submitted by mine operators.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

LABOR/MSHA-3**SYSTEM NAME:**

Metal and Nonmetal Mine Safety and Health Management Information System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

(1) Office of the Administrator for Metal and Nonmetal Mine Safety and Health, U.S. Department of Labor, 4015 Wilson Blvd., Arlington, Virginia 22203. (2) Substantially all Metal and Nonmetal Mine Safety and Health Offices listed in the appendix. (See appendix for addresses).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

MSHA personnel who are covered by the Federal Mine Safety and Health Act

of 1977, Pub. L. 95-164 as amended by Pub. L. 95-164.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains records on metal and nonmetal mine safety and health activities which include mine and mill locations, metal and nonmetal mine inspection personnel time and activity, inspections, citations and orders against operators, sampling data on personal exposure of nonidentified miners and MSHA personnel to radiation, dust, noise and other contaminants, and comprehensive surveys on individual operations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 668.

PURPOSE:

To determine workload, contaminant levels and schedule performance of Mine inspection personnel.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are (a) to determine the workload, work scheduling and performance of mine inspection personnel; (b) to maintain records on violations of health and safety standards and regulations; (c) to determine contaminant exposure level; (d) to maintain employment data at metal and nonmetal mines, e.g., number of workers, etc. Disclosure outside the Department of Labor may be made (1) to the National Institute of Occupational Safety and Health and the Environmental Protection Agency (see (c) above); (2) to state agencies (see (b), (c) above); (3) to unions and company officials (see (c) above); (4) to the U.S. Department of Justice when related to litigation or anticipated litigation; and (5) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation of or for enforcing or implementing a statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computer—Information from source documents to remote disk storage to host disk storage, with final storage on magnetic tape. Manual—8×10= 1/2 inch reports and forms in standard file cabinets.

RETRIEVABILITY:

Computerized and manual records are indexed by mine identification number for operator and by Authorized Representative and ROE number for individuals.

SAFEGUARDS:

Computer—In accordance with the National Bureau of Standards Publication Computer Security Guidelines for implementing the Privacy Act of 1974. Manual—Locked file cabinets. During working hours records are accessible only to authorized personnel.

RETENTION AND DISPOSAL:

Computer tapes are updated annually and retained indefinitely. Source documents are retained for 2 years then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Administrative Officer, Metal and Nonmetal Mine Safety and Health, 4015 Wilson Blvd., Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the system manager and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

RECORD SOURCE CATEGORIES:

MSHA inspection personnel and individual mine operators submit reports and information in accordance with prescribed procedures.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

DOL/MSHA-10

SYSTEM NAME:

Discrimination Investigations.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of the Administrator for Coal Mine Safety and Health and Office of the Administrator for Metal and Nonmetal Mine Safety and Health, Mine Safety and Health Administration, U.S. Department of Labor, 4015 Wilson Boulevard, Arlington, Virginia 22203 and some of the Coal and Metal and Nonmetal Mine Safety and Health Field offices (see appendix for addresses).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals alleged to have been discriminated against in violation of the Federal Mine Safety and Health Act of 1977 and the Coal Mine Health and Safety Act of 1969.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records which contain name, address, telephone number, social security number, occupation, place of employment, and other identifying data along with the type of allegation. This material includes interviews and other confidential data gathered by the investigator.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Investigations conducted pursuant to section 105(c) of Pub. L. 95-173 as amended by Pub. L. 95-164, 30 U.S.C. 815(c).

PURPOSE:

To determine validity and gravity of allegations and the amount of civil penalty assessment.

ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of records are (a) to determine validity of allegations and (b) for use in determining amount of proposed civil penalty assessments against individuals and operators. Disclosures outside of the Department of Labor may be made (1) to the U.S. Department of Justice when related to litigation or anticipated litigation; (2) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation of or enforcing or implementing a statute, rule, regulation, order or license; (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefits; and (4) to Federal, State, or local agencies where

necessary to obtain information relevant to the hiring or retention of an employee, or the issuance of a security clearance, contract, license, grant or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, ACCESSING, RETAINING, AND DISPOSING OF THE RECORDS IN THE SYSTEM:

STORAGE:

In manila file folders.

RETRIEVABILITY:

Filed by docket and status of case, complainant's name, indexed by name of mine, docket number, date of receipt and complaints name.

SAFEGUARDS:

Maintained in locked file cabinets. Accessed only by authorized personnel.

RETENTION AND DISPOSAL:

Retained for 1 year after the case is closed, then transferred to a Federal Records Center where they are retained for 15 years, then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Administrator for Coal Mine Safety Health, Ballston Towers No. 3, 4015 Wilson Boulevard, Arlington, Virginia 22203; Administrator for Metal and Nonmetal Mine Safety and Health, same address as above.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORDS ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

RECORD SOURCE CATEGORIES:

Mine operators submit the information used in this system.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2) exempting this system from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), (3), (d), (e), (1), (e)(4), (G), (H), (I), and (F) and the portions of 29 CFR Part 70a which implement these provisions.

LABOR/MSHA-13

SYSTEM NAME:

Coal Mine Respirable Dust Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Coal Mine Safety and Health, MSHA, U.S. Department of Labor, 4015 Wilson Blvd., Arlington, Virginia 22203, and substantially all Coal Mine Safety and Health Offices listed in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individual coal miners for whom personal dust samples have been submitted for analysis prior to 1981 and for part 90 miners after 1981.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain data concerning mine identification, mine section, name of individual and occupation sampled, social security number, date of sample, and concentration of respirable dust contained in the person sampler.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 813(a), 842.

PURPOSE:

The primary purpose of the records is to determine compliance with mandatory respirable dust standards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The primary use of the record is to determine compliance with mandatory respirable dust standards. Disclosures outside the Department of Labor may be made (1) to the U.S. Department of Health and Human Services in accordance with provisions of Public Law 91-173 as amended by Public Law 95-164; (2) to mine operators to furnish information relevant to the respirable dust program as it applies to their operations as required by the law; (3) to the U.S. Department of Justice when related to litigation or anticipated litigation; and (4) to appropriate Federal, State, local or foreign agencies responsible for investigating or

prosecuting the violation of or for research purposes for enforcing or implementing a statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF THE RECORDS IN THE SYSTEM:

STORAGE:

Historical data on computer tape and current data on computer disk.

RETRIEVABILITY:

Indexed by mine identification number, and social security number for individual coal miners sampled prior to 1981 and for all part 90 miners. This information is available on computer printouts.

SAFEGUARDS:

Records for part 90 miners are stored in locked steel cabinets with access being granted only to duly authorized personnel. No other individual records are identifiable.

RETENTION AND DISPOSAL:

Results of analysis are transmitted electronically to Denver Information Systems Center. Computer tapes are maintained indefinitely. Laboratory forms and dust data cards are maintained in the districts for 3 years.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Health, Coal Mine Safety and Health, MSHA 4015 Wilson Blvd., Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORDS ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

CONTESTING RECORD PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth

- c. Social Security number
- d. Signature

RECORD SOURCE CATEGORIES:

Mine operators submit the information used in this system via the dust data card that accompanies each dust cassette (sample).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

LABOR/MSHA-14**SYSTEM NAME:**

Coal Mine Noise Level Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

(1) Coal Mine Safety and Health, MSHA, U.S. Department of Labor, 4015 Wilson Blvd., Arlington, Virginia 22203;
(2) substantially all Coal Mine Safety and Health Offices listed in the appendix.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individual coal miners for whom noise level samples have been submitted for analysis.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain data concerning mine identification, mine section, name of individual sampled, social security number, date of sample, and noise level data.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

30 U.S.C. 813(a), 846.

PURPOSE:

To evaluate the effectiveness of MSHA's noise regulations and MSHA's Noise Survey Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are (a) to determine noise levels in every active working mine to insure compliance with noise level standards and (b) for special studies relative to occupational types, mining methods, etc. Disclosures outside the Department of Labor may be made (1) to furnish mine operators with information relevant to the noise program as it applies to their operations as required by the law; (2) to the U.S. Department of Justice when related to litigation or anticipated litigation; and (3) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation of or for

enforcing or implementing a statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF THE RECORDS IN THE SYSTEM:**STORAGE:**

Currently noise level data is entered onto a form which is sent to district offices for manual processing and filing in manila folders. All district offices utilize diskettes and mini-computers to process the data.

RETRIEVABILITY:

Data is indexed by mine identification number, name of mine, name of operator, name of individual and individual social security number.

SAFEGUARDS:

Maintained in file cabinet. Accessed only by authorized personnel.

RETENTION AND DISPOSAL:

Forms and diskette are retained indefinitely in district offices.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Division of Health, Coal Mine Safety and Health, MSHA, 4015 Wilson Blvd., Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- a. Full name
- b. Date of birth
- c. Social Security number
- d. Signature

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- a. Full name
- b. Date of birth
- c. Social Security number
- d. Signature

RECORD SOURCE CATEGORIES:

Mine operators submit the information used in this system.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

LABOR/MSHA-15**SYSTEM NAME:**

Health and Safety Training and Examination Records including Qualification and Certification Data.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Qualification and Certification Unit, Educational Policy and Development, Mine Safety and Health Administration, P.O. Box 25367, (DFC) Denver, Colorado 80225.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Miners, mining industry personnel, and State and Federal employees who have taken MSHA approved training courses. Also individuals certified and qualified as required by regulations.

CATEGORIES OF RECORDS IN THE SYSTEM:

These records contain name, social security number of persons who have taken training and examinations, mine ID number, training course, instructor's name and other relevant data.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 115, 317(i) and 502 of Pub. L. 91-173 as amended by Pub. L. 95-165, 30 U.S.C. 825, 877(i), 952.

PURPOSE:

To record the qualifications and certifications of individuals approved in accordance with title 30, Code of Federal Regulations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are to (a) maintain records of training and examination of individual miners, mining industry personnel, and State and Federal employees who have taken MSHA approved training courses; (b) issue qualification and/or certification cards to individuals who become qualified or certified under the law, as appropriate; (c) issue qualification cards to instructors authorized to teach MSHA approved training courses; (d) provide information to monitor and expand safety training programs; (e) verify that individuals have completed required training; (f) report training data in various formats for a variety of uses, e.g., reporting to Congress, publication, etc. Disclosures outside of the

Department of Labor may be made (1) to mine operators requesting information to verify training required by law; (2) to labor organizations requesting information on training status of its members; (3) to mine operators' associations which require training for policy and programming utilization; (4) to the U.S. Department of Justice when related to litigation or anticipated litigation; and (5) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation of or for enforcing or implementing a statute, rule, regulation, order or license.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Input forms to key tape to magnetic tapes in the computer system. Microfilm records are stored in the Qualification and Certification Unit.

RETRIEVABILITY:

Computerized records are indexed and accessed by mine identification and individual social security numbers. Microfilm records are retrieved on basis of social security number, mine identification numbers, date and course examination.

SAFEGUARDS:

Computer safeguards as described in the National Bureau of Standards Publication "Computer Security Guidelines for Implementing the Privacy Act of 1974" and procedures developed by MSHA under GSA Circular E-34. Files are posted with the appropriate Privacy Act warning. During working hours only authorized personnel have access to files.

RETENTION AND DISPOSAL:

Computer records are maintained on yearly historical file. Reporting outputs are discarded after they have served their purpose. Microfilm records are maintained indefinitely for historical purposes.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Qualification and Certification Unit, Educational Policy and Development, P.O. Box 25367 (DFC), Denver, Colorado 80225.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks

information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- Full name
- Date of birth
- Social Security number
- Signature

RECORD SOURCE CATEGORIES:

Individuals on whom the records are maintained, instructors of the training courses, mine operators, and MSHA and State personnel.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

LABOR/MSHA-18

SYSTEM NAME:

Coal Mine Safety and Health Management Information System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

(1) Office of the Administrator for Coal Mine Safety and Health, U.S. Department of Labor, 4015 Wilson Boulevard, Arlington, Virginia 22203; (2) substantially all Coal Mine Safety and Health offices listed in the appendix.

CATEGORIES OF INDIVIDUALS:

All Coal Mine Safety and Health personnel and key officials at surface and underground coal installations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Operational characteristics of surface and underground coal operations; identification of key officials at individual mines; functional time utilization information for all Coal Mine Safety and Health personnel; location categorization of all time utilized by inspection personnel for on-site visits to individual mines; violation information on individual mines, and information on plans and other documents submitted by coal mine operators.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 668.

PURPOSE:

To record time utilization of Coal Mine Safety and Health personnel, maintain information on characteristics of mining operations and monitor action taken on plans submitted by mine operators.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To record the time utilization of Coal Mine Safety and Health personnel and (a) to maintain information on characteristics of mining operations; (b) to maintain violation information; (c) to monitor the submission and subsequent actions taken on plans and other documents submitted by coal mine operators. Disclosure outside the Department of Labor may be made: (1) To the U.S. Department of Justice when related to litigation or anticipated litigation; (2) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violations of or for enforcing or implementing a statute, rule, regulation, order or license; and (3) to a Federal agency which has requested information relevant to or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files: Magnetic tape and disk units.

RETENTION AND DISPOSITION:

Source documents are destroyed when no longer needed. Reports are destroyed after 10 years.

RETRIEVABILITY:

By mine identification number, social security number for noninspection personnel, by Authorized Representative number for inspection personnel, by organization code, and by violation number.

SAFEGUARDS:

Access limited to authorized representatives in regard to computerized data. Manual records kept in locked file cabinets.

SYSTEM MANAGER(S) AND ADDRESS:

Administrator for Coal Mine Safety and Health, MSHA, Department of Labor, 4015 Wilson Boulevard, Arlington, Virginia, Administrator of Metal Nonmetal Safety and Health, MSHA, Department of Labor, 4015 Wilson Boulevard, Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name.
- Date of birth.
- Social Security number.
- Signature.

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- Full name.
- Date of birth.
- Social Security number.
- Signature.

RECORDS SOURCES:

Coal Mine Safety and Health personnel submit inspection, time utilization, violation and other enforcement information in accordance with prescribed procedures.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

No.

LABOR/MSHA-19**SYSTEM NAME:**

Employee Conduct Investigations.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Mine Safety and Health Administration, Administration and Management, U.S. Department of Labor, 4015 Wilson Blvd., Arlington, Virginia 22203.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any MSHA employee against whom any allegation of serious misconduct, illegal acts, conflict of interest, etc. has been made.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains the name, organization, allegation and other pertinent information relating to the individual involved. It also contains the investigative report associated with the case including interviews and other confidential data gathered by investigators.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 7301, Executive Order 11222.

PURPOSE:

The primary use of the records is to determine facts and circumstances relative to allegations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary use of the record is to establish facts to and adjudicate cases resulting from employee misconduct. Disclosures outside the Department of Labor may be made (1) To the U.S. Department of Justice when related to litigation or anticipated litigations; (2) to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulation, order or license; (3) to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual—in manila envelopes in hanging file folders.

RETRIEVABILITY:

Indexed by name in order. Retrieved by assigned file number.

SAFEGUARDS:

Stored in CSA approved 3-way combination safe.

RETENTION AND DISPOSAL:

Reports of completed investigations are disposed of after 30 years. Matters not subjected to full field investigations are disposed of after 15 years. Destruction is by shredding or burning under supervision.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Administration and Management MSHA, 4015 Wilson Blvd., Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Inquiries regarding the existence of records should be addressed to the System Manager. A written, signed request stating that the requester seeks information concerning records pertaining to him/her is required.

RECORD ACCESS PROCEDURES:

To see your records, write the System Manager and describe specifically as possible the records sought and furnish the following information:

- Full name.
- Date of birth.
- Social Security number.
- Signature.

CONTESTING RECORD PROCEDURES:

Individuals requesting amendment to the record should contact the System Manager and furnish the following information:

- Full name.
- Date of birth.
- Social Security number.
- Signature.

RECORD SOURCE CATEGORIES:

Information in these records is obtained from employee conduct investigation records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 522a(k)(2), exempting this system from the following provisions of the Privacy Act: 5 U.S.C. 552a (c)(3), (d), (e)(4) (G), (H), and (I) and (f) and the portions of 29 CFR part 70a which implement these provisions.

DOL/OSHA-1**SYSTEM NAME:**

Discrimination Complaint File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Regional offices of the Occupational Safety and Health Administration; see appendix I for addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have filed complaints alleging discrimination against them by their employers for exercising safety and health rights. Complaints are filed pursuant to section 11(c) of the Occupational Safety and Health Act

(Pub. L. 91-596) or section 405 of the Surface Transportation Assistance Act (Pub. L. 97-424).

CATEGORIES OF RECORDS IN THE SYSTEM:

Case files compiled in connection with investigations of discrimination complaints; files include letters of complaint and investigative materials developed during any subsequent investigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 11(c) of the Occupational Safety and Health Act (29 U.S.C. 651-678) and Section 405 of the Surface Transportation Assistance Act (49 U.S.C. 2301 et seq.).

PURPOSE:

These records are used to store complaints, investigative reports and other related materials applicable to each individual who has filed a complaint with OSHA. The records are used to store investigative materials discovered or created during investigation of violations of section 11(c) of the Occupational Safety and Health Act and/or section 405 of the Surface Transportation Assistance Act. The records also are used as the basis of statistical reports on such activity by regional administrators, investigators, and their supervisors in the Occupational Safety and Health Administration.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure may be made to the National Labor Relations Board, state occupational safety and health agencies, and to other Federal and State agencies when they are conducting similar or related investigations.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files.

RETRIEVABILITY:

By complainant's name or case identification number.

SAFEGUARDS:

Locked storage equipment and personnel screening.

RETENTION AND DISPOSAL:

Destroy five years after case is closed.

SYSTEM MANAGER(S) AND ADDRESS:

Regional administrator at address in appendix I where system is located.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above.

RECORD ACCESS PROCEDURE:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

Individual complaints filed alleging discrimination by employers against employees who have exercised job safety and health responsibilities; information compiled in connection with investigations against such alleged discrimination.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph (k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes which is maintained in the Discrimination Complaint File is exempt from paragraphs (c)(3); (d); (e)(1); (e)(4) (G), (H) and (I); and (f) of 5 U.S.C. 552a. Disclosure of information in this file could threaten investigators, witnesses, and their families with adverse consequences and could threaten effective enforcement of the Occupational Safety and Health Act and the Surface Transportation Assistance Act. To conduct effective investigations it is necessary to guarantee the confidentiality of information being collected. Release of such information would constitute a breach of confidentiality, could lead to the intimidation, harassment or dismissal from employment of those involved, and could discourage those contacted in future investigations from cooperating with investigators.

DOL/OSHA-4

SYSTEM NAME:

Advisory Committee Candidates' Biographies.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Division of Consumer Affairs, Office of Information & Consumer Affairs, Occupational Safety and Health Administration, room N-3647, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have been nominated for membership on an OSHA ad hoc advisory committee, or for membership to the statutorily established National Advisory Committee on Occupational Safety and Health (NACOSH) and Advisory Committee on Construction Safety and Health (ACCSH).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678) and the Federal Advisory Committee Act (5 U.S.C. app.).

PURPOSE:

These records are established as individuals are recommended for membership to an advisory committee. The records consist of nominations and include detailed résumés of the professional background and work history of each nominee. They are used by the Assistant Secretary of Labor to make selections and recommendations to the Secretary of Labor for appointment.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files.

RETRIEVABILITY:

By nominee's name.

SAFEGUARDS:

Locked storage equipment and personnel screening.

RETENTION AND DISPOSAL:

a. Advisory committee members: Permanent transfer to National Archives three years after expiration of term of service.

b. Advisory committee nominees not selected to serve on an advisory committee: Destroy when five years old.

SYSTEM MANAGER AND ADDRESS:

Director, Office of Information & Consumer Affairs, room N-3647, OSHA, U.S. Department of Labor, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above.

RECORD ACCESS PROCEDURE:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

Nominations submitted by various individuals and organizations in the private sector and by government agencies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OSHA-6**SYSTEM NAME:**

Compliance Safety and Health Officer Manpower File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Management Data Systems, Occupational Safety and Health Administration, room N-3661, U.S. Department of Labor, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Compliance Safety and Health Officers of the Occupational Safety and Health Administration.

CATEGORIES OF RECORDS IN THE SYSTEM:

Time sheets/logs documenting compliance safety and health officers' activities covering inspection, monitoring and other compliance-related data.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678).

PURPOSE:

These records are maintained to document the amounts of time spent by

OSHA compliance safety and health officers on their various compliance-related activities. The data compiled from the time sheets are used to analyze program activity by producing such activity measures as time spent on each of various types of compliance-related activities; the data are used by key agency officials to assist in measuring the effectiveness of OSHA's enforcement activities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Magnetic media and manual files.

RETRIEVABILITY:

By compliance safety and health officer identifying number or by inspection/investigation number.

SAFEGUARDS:

Computer file accessible only through password system available only to authorized personnel; manual files in locked storage equipment.

RETENTION AND DISPOSAL:

Source documents for ADP system are destroyed after two years; data files maintained indefinitely.

SYSTEM MANAGER AND ADDRESS:

Director, Office of Management Data Systems, Occupational Safety and Health Administration, room N-3661, U.S. Department of Labor, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above.

RECORD ACCESS PROCEDURE:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

Compliance safety and health officers'/investigators' time logs.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OSHA-9**SYSTEM NAME:**

OSHA Compliance Safety and Health Officer Training Record.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Regional offices of the Occupational Safety and Health Administration; see Appendix I for addresses.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Compliance safety and health officers of the Occupational Safety and Health Administration.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records reflecting training courses and programs completed by compliance safety and health officers of the Occupational Safety and Health Administration.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678).

PURPOSE:

These records are used to determine which compliance safety and health officers have completed required training and which need added training. They are used to analyze individual training needs and to assess overall needs for training in upcoming periods; used by Regional Administrators for planning and budgetary purposes.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

By name of individual compliance safety and health officer.

SAFEGUARDS:

Locked file cabinets.

RETENTION AND DISPOSAL:

Upon termination of employment of a compliance safety and health officer, or upon transfer.

SYSTEM MANAGER(S) AND ADDRESS

Regional administrator at address in Appendix I where system is located.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above.

RECORD ACCESS PROCEDURE:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

Office of Personnel Management official personnel folders; certificates of training; individuals concerned.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/OSHA-10**SYSTEM NAME:**

OSHA Train the Trainer Outreach Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Training and Education, Occupational Safety and Health Administration, U.S. Department of Labor, 1555 Times Drive, Des Plaines, Illinois 60018.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students who have satisfactorily completed courses 500, 501, 502 and 503 and who, as a result of taking the courses, have elected to conduct the same or similar courses as OSHA certified instructors for their employing organization or other interested groups; and students who have received instruction from the OSHA certified instructors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Instructor and student's name and address, instructor's phone number, date

certified, and date re-certified; number of persons supervised by student.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678).

PURPOSE:

To maintain a record of individuals who are qualified to present instruction on occupational safety and health matters.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records are used by staff of the Training Institute to determine when individuals are in need of updated instruction to maintain their qualification as certified instructors; by Training Institute staff to select qualified individuals to fulfill requests from employers or their representatives for instructors qualified to teach occupational safety and health topics; and to provide certified instructors with appropriate safety and health instructional materials when the materials become available.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual and ADP files.

RETRIEVABILITY:

By name of OSHA certified instructor (manual); by name of OSHA certified instructor, date certified, state of residence (ADP).

SAFEGUARDS:

Locked file cabinets for manual files and computer discs locked in file cabinets; password system for authorized persons for ADP files.

RETENTION AND DISPOSAL:

Dispose of when no longer needed for administrative purposes.

SYSTEM MANAGER AND ADDRESS:

Chief, Division of Training and Educational Programs, Occupational Safety and Health Administration, U.S. Department of Labor, 1555 Times Drive, Des Plaines, Illinois 60018.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above. Name, address,

date certified, instructor's name and date instructed will be provided.

RECORD ACCESS PROCEDURES:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of any non-exempt records must contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

The certified instructors and students.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL-OSHA 12**SYSTEM NAME:**

OSHA Employee Conduct Investigations

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATIONS:

Directorate heads, separate Office heads, Regional Administrators, Director OSHA Training Institute, Director Cincinnati Laboratory, Director Salt Lake City Laboratory, of the Occupational Safety and Health Administration (OSHA).

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, organization, and other information relating to the individual involved. The record also contains investigative report(s) associated with the case, including interviews and other confidential data gathered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

These records are maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest, etc., are retained and available to agency, Departmental, or other Federal officials having a need for the information in the performance of their official duties and to support actions taken based on the records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to other Federal agencies, including the Department of Justice, the FBI, and to any other Federal, State or local government official responsible for investigating or prosecuting the

violation of or for enforcing or implementing statutes, rules, regulations, orders or licenses.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records are stored in file folders in metal file cabinets.

RETRIEVABILITY:

Filed by name or other identifying code such as a case file number.

SAFEGUARDS:

The files are maintained in locked file cabinets with access available only to those with a need to know the information to perform their officially assigned duties.

RETENTION AND DISPOSAL:

Completed investigations and those not subject to full investigation are disposed of after seven years.

SYSTEM MANAGERS AND ADDRESSES:

Directorate heads, separate Office heads, Regional Administrators, Director, OSHA Training Institute, Director Cincinnati Laboratory, Director Salt Lake City Laboratory, of OSHA at addresses listed in Appendix I.

NOTIFICATION PROCEDURE:

Inquiries should be mailed to system managers listed above at addresses listed in Appendix I.

RECORD ACCESS PROCEDURES:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system locations listed in Appendix I.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the location listed in appendix I.

RECORD SOURCE CATEGORIES:

Hotline complaints received through the Office of the Inspector General, or through the General Accounting Office; incident reports submitted by other employees or members of the public; and other investigative reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

In accordance with paragraph (k)(2) of the Privacy Act, investigatory material compiled for law enforcement purposes which is maintained in Employee Conduct Investigation files is exempt

from paragraphs (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information than already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants or their families, and could discourage those contacted in future investigations from cooperating with investigators.

DOL/OSHA-13

SYSTEM NAME:

OSHA Office of Training and Education Automated Registration System.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of Training and Education, Occupational Safety and Health Administration, U.S. Department of Labor, 1555 Times Drive, Des Plaines, Illinois 60018.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students from the U.S. Department of Labor, state governments, other Federal agencies and from the private sector. These students are primarily compliance safety and health officers, safety specialists, safety engineers, safety officers, industrial hygienists, instructors, loss control specialists, and others in occupations related to occupational safety and health.

CATEGORIES OF RECORDS IN THE SYSTEM:

Each student's file contains the following information: student's name, office name, office address, office telephone number, course enrollment history, tuition status, student employment origin, cumulative record of student's continuing educational units (CEU's), certification maintenance points (CM's) issued by this office from fiscal year 1989 to the present.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Occupational Safety and Health Act of 1970 (29 U.S.C. 651-678).

PURPOSE:

To maintain needed enrollment information for proper management of course schedules, curricula and determining individual training needs.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

Records are used by managers and Training Institute staff to develop class rosters, student enrollment history, course/class enrollment changes on a weekly basis, training verification, cancellation notices, confirmation letters and certificates of completion for individual students.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS:

STORAGE:

Magnetic media and manual files.

RETRIEVABILITY:

The operators who operate the system can access information by student's name or by course number. The system administrator can access by student's name, course number, date of enrollment, employment origin, company name, address and phone number.

SAFEGUARDS:

Manual files are stored in locked file cabinets. Hard disk in the computer is secured by the use of a system lock to which only authorized staff have access. Backup floppy disks are stored in locked file cabinets. Access to all manual and ADP files is restricted to authorized personnel only.

RETENTION AND DISPOSAL:

Data for the current year and two preceding years will be resident on the computer hard disk. Data pre-dating this time will be backed up on floppy disks and stores in a locked cabinet. In no case will data predate fiscal year 1989. Files will be destroyed when no longer of any administrative use.

SYSTEM MANAGER AND ADDRESS:

Administrative officer, Office of Training and Education, at system location listed above.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the system location listed above.

RECORD ACCESS PROCEDURE:

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location listed above.

CONTESTING RECORD PROCEDURE:

Individuals wishing to request amendment of any non-exempt records should contact the system manager at the system location listed above.

RECORD SOURCE CATEGORIES:

The student's registration information for students from Federal OSHA is the Form DL-101. Registration information for other students is obtained by telephone or by letter.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Not applicable.

DOL/PWBA-1**SYSTEM NAME:**

Executive Secretary, Employee Retirement Income Security Act (ERISA) Advisory Council on Employee Welfare and Pension Benefit Plans.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, N.W., room S2524, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Private persons who are members of or have been recommended for appointment to the Advisory Council on Employee Welfare and Pension Benefit Plans.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical, professional and personal data contained in background files on members and prospective members.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1135, *et sequentia*.

PURPOSE(S):

To maintain a record of all members of and nominees for the Advisory Council on Employee Welfare and Pension Benefit Plans. These records are a source of professional and personal data and other background information.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Indexed alphabetically by subject's name.

SAFEGUARDS:

Files are maintained by Executive Secretary of the Advisory Council and are available or accessible only to limited Executive Staff members of the Office of the Assistant Secretary.

RETENTION AND DISPOSAL:

Break file annually. Transfer to Federal Records Center when three years old. Transfer to National Archives when 10 years old.

SYSTEM MANAGER(S) AND ADDRESS:

Assistant Secretary for Pension and Welfare Benefits, U.S. Department of Labor, 200 Constitution Avenue, N.W., room S2524, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager indicated above. Individuals must furnish their full names for their records to be located and identified.

RECORD ACCESS PROCEDURES:

Same as Notification procedure. Individuals requesting access must also comply with Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Same as Notification procedure above except individuals desiring to contest or amend information maintained in the system should direct their written request to the System Manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

The individual concerned and groups or entities making recommendations for Council membership.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/PWBA-2**SYSTEM NAME:**

Office of Enforcement Index Cards and Investigation Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, N.W., room N5718, Washington, DC 20210 and all PWBA field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Plan administrators, trustees, and those individuals who provide advice or services to employee benefit plans and other individuals involved in investigations and enforcement actions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information including plan name, plan administrator's name, service provider name, trustees and plan participant or beneficiary's name.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1135, *et sequentia*.

PURPOSE(S):

The index cards are used to access case files and correspondence files of plan administrators, trustees, and those individuals providing advice or services to the plan and other individuals involved in investigations and enforcement actions instituted by the Department of Labor (DOL) under the Employee Retirement Income Security Act of 1974 (ERISA).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

a. Where there is an indication of a violation or potential violations of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign. If such agency is participating in the particular investigation, the relevant records may continue to be used by the agency to investigate possible violations of the laws administered by it and to bring appropriate proceedings.

b. A record from this system of records may be disclosed to a Federal, State, local or foreign governmental authority, in response to its request in connection with the hiring or retention of an employee, in the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or benefit by the requesting agency to the extent that the

information is relevant and necessary to the requesting agency's decision on such matters.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The records in this system are maintained on 3 x 5 index cards and manual cases files.

RETRIEVABILITY:

Records are retrieved by name of plan, participant or beneficiary's name, service provider name, and/or trustee name, case number, plan EIN/PN, service provider and/or trustee EIN. Index cards are filed alphabetically.

SAFEGUARDS:

Locked storage equipment. Direct access to and use of these records is restricted to authorized personnel in the Office of Enforcement and PWBA field offices.

RETENTION AND DISPOSAL:

Investigative case files are retained in the office for one year upon completion of litigation and/or actions based thereon, transferred to the Federal Records Center for seven years, then destroyed. Index cards are retained permanently.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Enforcement, Pension and Welfare Benefits Administration, Department of Labor, 200 Constitution Avenue, NW., room N5716, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager indicated above. Individuals should furnish their full name, address and employee benefit plan association, and identify the employee benefit plan by name, address and EIN (if known).

RECORD ACCESS PROCEDURES:

Specific materials in this system have been exempted from Privacy Act provisions under 5 U.S.C. 552a (j) and (k). To the extent that this system of records is not subject to exemption, it is subject to access and contest. A determination as to exemption shall be made at the time a request for access is received. Access procedures are the same as Notification procedure above. Individuals requesting access must also

comply with Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Same as Notification procedure above except individuals desiring to contest or amend information maintained in the system should direct their written request to the system manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

Individual complaints, witnesses, interviews conducted during investigations on cases opened in the Office of Enforcement or in any of the field offices of PWBA.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

a. *Criminal Law Enforcement:* In accordance with subsection (j)(2) of the Privacy Act, information maintained in the files of the Office of Enforcement (OE) consisting of index cards and investigatory files is exempted from all provisions contained in 5 U.S.C. 552a, except those requirements set forth in subsections (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10) and (11) and (i) of the Act. The disclosure of information contained in the criminal investigatory files, including the names of persons or agencies to whom the information has been transmitted, would substantially compromise the effectiveness of OE investigations. Knowledge of such investigations could enable suspects to take such action as is necessary to prevent detection of criminal activities, conceal evidence, or to escape prosecution. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families and could jeopardize the safety and well-being of investigative personnel and their families. The imposition of certain restrictions on the manner in which investigative information is collected, verified or retained would impede significantly the effectiveness of OE investigatory activities and in addition, may often preclude the apprehension and successful prosecution of persons engaged in fraud or criminal activity.

b. *Other Law Enforcement:* In accordance with subsection (k)(2) of the Privacy Act, any investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of the Act, which is maintained in OE investigatory files, is

exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of the Act. The disclosure of information contained in civil investigative files, including the names of persons or agencies to whom the information has been transmitted, would substantially compromise the effectiveness of OE's investigative activity. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil enforcement action. Disclosure of this information could lead to the intimidation of, or harm to, informants, witnesses and their respective families, and in addition, could jeopardize the safety and well-being of investigative personnel and their families. The imposition of certain restrictions on the manner in which investigative information is collected, verified, and retained would also impede significantly the effectiveness of the investigatory activities of the Office of Enforcement.

DOL/PWBA-3

SYSTEM NAME:

ERISA Coverage Correspondence Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, NW., room N5646, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The general public.

CATEGORIES OF RECORDS IN THE SYSTEM:

Letters from the general public relating to certain aspects of Title I of ERISA, the Department's replies thereto, advisory opinions and related internal memoranda, including notes pertaining to meetings and telephone calls.

AUTHORITY FOR THE MAINTENANCE OF THE SYSTEM:

29 U.S.C 1135, *et sequentia*.

PURPOSE(S):

These records are maintained to take action on or to respond to a complaint or an inquiry concerning certain aspects of Title I of ERISA.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

Advisory opinions and selected information letters may be disclosed in response to public requests under

PWBA's applicable internal review procedures.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files and computer storage.

RETRIEVABILITY:

Manual files are indexed alphabetically, by name of correspondent. Data is entered into computer system by a control number.

SAFEGUARDS:

Access to these records is limited to authorized PWBA staff. Computer system is password protected and accessible only to personnel creating the data base.

RETENTION AND DISPOSAL:

Manual records are maintained for four years then transferred to the Federal Records Center for five additional years, then destroyed. Computer files will be retained until incorporated into PWBA records disposition schedule.

SYSTEM MANAGER AND ADDRESS:

Director of Regulations and Interpretations, Pension and Welfare Benefits Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., room N5671, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager indicated above. All requests must be in writing and mailed, or presented in person during the Department's normal working hours.

RECORD ACCESS PROCEDURE:

Same as Notification procedure. Individuals requesting access must also comply with Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Same as Notification procedure above except individuals desiring to contest or amend information maintained in the system should direct their written request to the system manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

Correspondence from individuals and responses thereto.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/PWBA-4

SYSTEM NAME:

Inquiry Correspondence Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, NW, room N5658, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of Congress, Senators, and private citizens.

CATEGORIES OF RECORDS IN THE SYSTEM:

General and congressional inquiries and correspondence regarding all aspects of pension and welfare benefit plans and the status of individuals under these plans.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1135 *et sequentia*.

PURPOSE(S):

These records are used to take action on or respond to inquiries and responses from members of Congress, Senators, and private citizens.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file cabinets and on computer system.

RETRIEVABILITY:

Inquiries and responses from Members of Congress, Senators and private citizens are indexed alphabetically by last name.

SAFEGUARDS:

Manual files are maintained in file cabinets with access limited to staff of the Division of Technical Assistance and Inquiries. Computer system is password protected and limited to use by authorized personnel.

RETENTION AND DISPOSAL:

Manual records are maintained for two years, then destroyed. Computer files are destroyed when three years old or when no longer needed for reference.

SYSTEM MANAGER AND ADDRESS:

Director of Program Services, Pension and Welfare Benefits Administration, U.S. Department of Labor, room N5670, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager indicated above. Individuals must furnish their full names for their records to be located and identified.

RECORD ACCESS PROCEDURES:

Same as Notification procedure. Individuals requesting access must also comply with Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Same as Notification procedure above except individuals desiring to contest or amend information maintained in the system should direct their written request to the System Manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

Congressional and public correspondence.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/PWBA-5

SYSTEM NAME:

Public Disclosure Request Tracking System.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, NW., room N5507, Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Plan participants, general public, private organizations, State or local government.

CATEGORIES OF RECORDS IN THE SYSTEM:

Data regarding the request for information and/or reports regarding employee benefit plans or benefits. Data includes individual's name, street address, city, state, zip code, and telephone number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1135, *et sequentia*.

PURPOSE(S):

These records are maintained to process requests made for information and/or reports in reference to pension and welfare benefit plans.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records are used by PWBA managers to document and process requests for information and to compile statistical reports regarding such requests for management information purposes.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files and computer storage.

RETRIEVABILITY:

Requests are sorted numerically by public disclosure request number. Records in this system are retrieved by computer and manually using the name of requester, public disclosure request number, or EIN/PN number.

SAFEGUARDS:

Manual files are maintained in file cabinets with access limited to authorized personnel. Computer system is password protected and accessible only to personnel creating and maintaining the data base.

RETENTION AND DISPOSAL:

Manual records are maintained for two years, then destroyed. Computer files will be retained until incorporated in a PWBA records disposition schedule.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Program Services, Pension and Welfare Benefits Administration, U.S. Department of Labor, room N5670, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact

the system manager indicated above. Individuals must furnish their full names for their records to be located and identified.

RECORD ACCESS PROCEDURES:

See Notification procedure above. Individuals requesting access must also comply with Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

CONTESTING RECORD PROCEDURES:

Same as Notification procedure above except individuals desiring to contest or amend information maintained in the system should direct their written request to the system manager listed above, and state clearly and concisely what information is being contested, the reasons for contesting it, and the proposed amendment to the information sought.

RECORD SOURCE CATEGORIES:

Sources of information contained in this system are the individual requests for disclosure of reports and/or information from the general public.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-1**SYSTEM NAME:**

Conflict of Interest File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Division of Labor-Management Laws, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210 and Offices of the Regional Solicitors and Associate Regional Solicitors at various field locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Those persons from whom reports may be required under Sections 202 and 203, Labor-Management Reporting and Disclosure Act (LMRDA) (29 U.S.C. 432, 433), are those allegedly having conflicts of interest who must file reports under these sections. Investigation relates to civil litigation or criminal prosecution.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigative reports, legal analyses, forwarding memoranda.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 202, LMRDA (29 U.S.C. 432); Section 203, LMRDA (29 U.S.C. 433); Section 601, LMRDA (29 U.S.C. 521) (investigative authority) Section 209,

LMRDA (29 U.S.C. 439); Section 607, LMRDA (29 U.S.C. 527).

PURPOSE:

To enforce LMRDA requirement that persons with conflicts of interest file designated reports.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Files interchanged in the processing of cases with the Department of Justice and Assistant U.S. Attorneys to enforce the LMRDA by court action.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Indexed by name.

SAFEGUARDS:

Restricted to official business within agency, personnel screening.

RETENTION AND DISPOSAL:

Currently files are maintained for fiscal years 1983 through 1988.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Labor-Management Laws, Office of the Solicitor, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, and Regional Solicitors and Associate Regional Solicitors at various field offices.

NOTIFICATION PROCEDURE:

Contact system managers.

RECORD ACCESS PROCEDURE:

As in notification procedure.

CONTESTING RECORD PROCEDURE:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Complainants, witnesses, investigative reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-2**SYSTEM NAME:**

Employment and Training Legal Services Litigation and Investigation File.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

United States Department of Labor,
room N-2101, 200 Constitution Avenue,
NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Named plaintiffs and complainants in court and administrative proceedings involving the Employment and Training Administration, the Office of the Assistant Secretary of Labor for Veterans' Employment and Training, and the procurement activities of the Office of the Assistant Secretary of Labor for Administration and Management. Individual subjects of administrative investigations under programs of the Employment and Training Administration, the Office of the Assistant Secretary of Labor for Veterans' Employment and Training, and procurement activities of the Office of the Assistant Secretary of Labor for Administration and Management.

CATEGORIES OF RECORDS IN THE SYSTEM:

Court and litigation files contain little, if any, information regarding the individual other than that supplied by the individual in its complaint. Investigatory files include employment and financial information related to possible fraudulent activity on the part of the individual.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

Court and administrative files used in court and administrative litigation. Investigatory files used in investigations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

In addition to those contained in the United States Department of Labor's prefatory statement, information is disclosed to United States Department of Justice for that agency's determination regarding potential litigation and in the course of actual litigation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

By name of plaintiffs and complainants and individual subjects being investigated.

SAFEGUARDS:

Physical security; files are kept in office suite that is locked after working hours.

RETENTION AND DISPOSAL:

Files are maintained as long as the case is open. When the case is closed and it is determined that the file is no longer needed, the file is then sent to Archives for ultimate disposal.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor of Labor for Employment and Training Legal Services, United States Department of Labor, room N-2101, 200 Constitution Avenue, NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

As in "System manager(s) and address" above.

RECORD ACCESS PROCEDURES:

As in "System manager(s) and address" above.

CONTESTING RECORD PROCEDURES:

As in "System manager(s) and address" above.

RECORD SOURCE CATEGORIES:

Information normally is obtained from other organizations within the United States Department of Labor.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-3**SYSTEM NAME:**

Federal Tort Claims Act (FTCA).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATIONS:

U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

See attachment—for additional locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Claimants under the Federal Tort Claims Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

Tort claims file, including negligence, medical, personnel and legal reports, summaries, correspondence and memoranda.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

28 U.S.C. 2671 et seq.

PURPOSE(S):

To allow adjudication of claims filed under the Federal Tort Claims Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None other than those contained in the Department's Prefatory Statement published in the Federal Register of September 8, 1975 (40 FR 41739).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Name of claimant.

SAFEGUARDS:

Files are kept in office suite that is locked after working hours.

RETENTION AND DISPOSAL:

Records retention is being determined by NARS.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Employee Benefits, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

NOTIFICATION PROCEDURE:

See system manager(s) and addresses.

RECORD ACCESS PROCEDURES:

Inquirer should provide his full name, plus date and place of incident.

CONTESTING RECORD PROCEDURES:

See record access procedures.

RECORD SOURCE CATEGORIES:

Claimants, current and former employers, witnesses, physicians, insurance companies, attorneys, police, hospitals, other individuals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-5**SYSTEM NAME:**

Job Training Partnership Act (JTPA).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

See attachment—for additional locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Claimants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Tort claims file, including negligence, medical, personnel and legal reports, summaries, correspondence, and memoranda.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1501 et seq.

PURPOSE(S):

To allow adjudication of claims filed under the Job Training Partnership Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None other than those contained in the Department's Prefatory Statement published in the *Federal Register* of September 8, 1975 (40 FR 41739).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Name of claimant.

SAFEGUARDS:

Files are kept in office suite that is locked after working hours.

RETENTION AND DISPOSAL:

Records retention is being established by NARS.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Employee Benefits, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

NOTIFICATION PROCEDURE:

See system manager(s) and addresses.

RECORD ACCESS PROCEDURES:

Inquirer should provide his full name, plus date and place of incident.

CONTESTING RECORD PROCEDURES:

See record access procedures.

RECORD SOURCE CATEGORIES:

Claimants, current and former employers, witnesses, physicians,

insurance companies, attorneys, police, hospitals, other individuals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-6**SYSTEM NAME:**

Military Personnel and Civilian Employees Claim Act.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

See attachment—for additional locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Claimants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Tort claims file, including negligence, medical, personnel and legal reports, summaries, correspondence and memoranda.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 240-243.

PURPOSE(S):

To allow adjudication of claims filed under the Military Personnel and Civilian Employees Claims Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None other than those contained in the Department's Prefatory Statement published in the *Federal Register* of September 8, 1975 (40 FR 41739).

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual files.

RETRIEVABILITY:

Name of claimant.

SAFEGUARDS:

Files are kept in office suite that is locked after working hours.

RETENTION AND DISPOSAL:

Records retention is being established by NARA.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Employee Benefits, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-4631, Washington, DC 20210.

NOTIFICATION PROCEDURE:

See system manager(s) and addresses.

RECORD ACCESS PROCEDURES:

Inquirer should provide his full name, plus date and place of incident.

CONTESTING RECORD PROCEDURES:

See record access procedures.

RECORD SOURCE CATEGORIES:

Claimants, current and former employers, witnesses, physicians, insurance companies, attorneys, police, hospitals, other individuals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-7**SYSTEM NAME:**

Solicitor's Legal Activity Recordkeeping System.

SECURITY CLASSIFICATION:

Classified.

SYSTEM LOCATION:

Terminals in all SOL Divisional Offices, Washington, DC; SOL Regional and Sub-Regional Offices. DOL computer located at Boeing Computer Services facility in McLean, VA.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Attorneys employed by the Office of the Solicitor; the names of judges assigned to the cases and the names of the individuals and/or parties involved in the cases.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual attorney assignments; identification of cases pending, status of litigated cases, opinions requested, case agency record, and miscellaneous assignments.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 552a(a)(4).

PURPOSE:

To track attorney assignments and the status of case files.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Manual and computer files.

RETRIEVABILITY:

Currently, by name of attorney; potentially retrievable by name of the judge assigned to the case, and by the name of the individual and/or party involved in the case.

SAFEGUARDS:

Manual files are kept locked. Computer files accessible only through proper code number.

RETENTION AND DISPOSAL:

Records are maintained for life of assignment and are then disposed.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitors, Office of the Solicitor, Washington, DC; Regional Solicitors and Associate Regional Solicitors at various field locations.

NOTIFICATION PROCEDURE:

Same as system manager(s) and address.

RECORD ACCESS PROCEDURE:

Same as system manager(s) and address.

CONTESTING RECORD PROCEDURES:

Same as system manager(s) and address.

RECORD SOURCE CATEGORIES:

Case files, correspondence files, opinion files, and miscellaneous files.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL 8**SYSTEM NAME:**

Special Litigation Division.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

U.S. Department of Labor, Office of the Solicitor, Washington, DC. Only current litigation files are maintained in DOL/SOL, DC—closed files are in contract warehouse storage located in Records Management, Inc., Alexandria, Virginia.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The Special Litigation Division maintains records as defined in 5 U.S.C. 552a(a)(4) (the "records"). The records relate specifically to defendants, respondents, witnesses and other individuals who may have provided information relating to, or who may have been involved in, matters that are part of the Central States litigation. These records relate generally to litigation under the Employee Retirement Income Security Act of 1974 (the "Act") that involves the Secretary of Labor and the Central States Southeast and Southwest Areas Health and Welfare and Pension Funds (the "Central States litigation").

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains records gathered by the Special Litigation Division in connection with the Central States litigation. The records may be derived from materials filed with the Department of Labor, court records, articles from publications, published financial data, information received from materials filed with the Department of Labor, court records, articles from publications, published financial data, information received from employee benefit plans, business organizations and individuals, statements of witnesses, information received from federal, state, local and foreign regulatory and law enforcement organizations and from other sources. The system also contains records that incorporate the work product of the Special Litigation Division and other privileged documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 U.S.C. 1132, 1134.

PURPOSE(S):

To maintain investigatory and related litigation files pertaining to the Teamsters' Central States, Southeast and Southwest Areas Health and Welfare and Pension Funds, as well as other matters within the mission and functions of the special Litigation Division.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) The records may be used by the Department of Labor, Department of Justice, Treasury Department, Commerce Department and other Federal Government personnel and consultants investigating possible violations of the Employee Retirement Income Security Act of 1974.

(2) The records may be used in any proceeding where the Employee Retirement Income Security Act of 1974 is in issue or in which the Secretary of Labor, any past or present Federal Employee or consultant directly or indirectly involved in investigations or other enforcement activities under the Employee Retirement Income Security Act of 1974, is a party or is otherwise involved in an official capacity.

(3) The records may be made available pursuant to 29 U.S.C. 1134(a) to any person actually affected by the matters therein contained.

(4) The records may be referred when there is an indication of a violation or potential violation of law to the appropriate agency, whether federal, state, local or foreign, to be used by the agency to investigate possible violations of laws administered by it and to bring appropriate proceedings.

(5) The records may be referred, when appropriate, to a bar association, court, or federal, state, local or foreign licensing authority for possible disciplinary action.

(6) The records may be disclosed to a federal, state, local or foreign governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the lettering of a contract, or the issuance of a license, grant or benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(7) The records may be given or shown to anyone during the course of the litigation conducted by the Special Litigation Division if the Special Litigation Division has reason to believe that the person to whom such disclosure is made may have further information about the matter discussed therein and that those matters may be relevant to such litigation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSAL OF RECORDS IN THE SYSTEM:****STORAGE:**

The records are maintained in hard copy, microfilm/microfiche or machine readable (computer/tape) form.

RETRIEVABILITY:

The records are indexed by name.

SAFEGUARDS:

Access to and use of the records are limited to those persons whose official duties require it.

RETENTION AND DISPOSAL:

The records retention is being determined by NARA.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Special Litigation Division, U.S. Department of Labor, P.O. Box 37296, Washington, DC 20013.

NOTIFICATION PROCEDURE:

Mail all inquiries or present in writing to system manager at above address.

RECORD ACCESS PROCEDURES:

As in notification procedure.

CONTESTING RECORD PROCEDURES:

As in notification procedure.

RECORD SOURCE CATEGORIES:

Investigators; other law enforcement personnel; attorneys; witnesses, informants; other individuals; federal, state and local agencies; investigative files, case files; correspondence files; opinion files; miscellaneous files.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), this system is exempt from the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) and the portions of 29 CFR part 70a which implement these provisions.

DOL/SOL-9**SYSTEM NAME:**

Freedom of Information Act and Privacy Act Appeals Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of the Solicitor, Division of Legislation and Legal Counsel, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system encompasses all individuals who submit administrative appeals under the Freedom of Information and Privacy Acts.

CATEGORIES OF RECORDS IN THE SYSTEM:

Each file generally contains the appeal letter, the initial request, and the initial agency determination. When a determination is made on the appeal, the determination letter is added to the file.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Freedom of Information Act (5 U.S.C. 552); the Privacy Act of 1974 (5 U.S.C. 552a); and 5 U.S.C. 301.

PURPOSES:

These records are maintained to process an individual's administrative appeals made under the provisions of the Freedom of Information and Privacy Acts. The records are also used to prepare the Department's annual reports to OMB and Congress required by the Privacy and the Freedom of Information Acts.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, and information in these records, may be used:

a. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

b. To disclose information to Federal agencies (e.g., Department of Justice) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or competence, for use by the Office of the Solicitor in making required appeal determinations and related dispositions under the Freedom of Information Act or the Privacy Act of 1974.

c. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the appeal, and to identify the type of information involved in an appeal), where necessary to obtain information relative to a decision concerning a Freedom of Information or Privacy Act appeal.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

f. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review

of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

g. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations of alleged or possible discrimination complaints in the Federal sector, examination of Federal Affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

h. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations or allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in manual form in file folders and are stored using the name of the individual filing the appeal. Information about the status of Freedom of Information and Privacy Act appeals is also maintained on magnetic media for use in a micro-computer.

RETRIEVABILITY:

Manual records are retrieved by the name of the individual making the appeal.

SAFEGUARDS:

These records are located in metal filing cabinets in a lockable room with access limited to personnel whose duties require access.

RETENTION AND DISPOSAL:

These records are destroyed six years after disposition date unless litigation is pending involving the appeal.

SYSTEM MANAGER(S) AND ADDRESS:

Solicitor of Labor, U.S. Department of Labor, Washington DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system or records contains information about them should contact

the system manager at the address listed above.

RECORD ACCESS PROCEDURES:

A request for access shall be addressed to the system manager at the address listed above. Individuals must furnish the following information for their records to be located and identified:

- Name.
- Approximate date of the Freedom of Information or Privacy Act Appeal and the approximate date of the determination by the Department (if issued).
- Individuals requesting access must also comply with the Privacy Act regulations regarding verification of identity and access to records at 29 CFR 70a.4.

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the System Manager and must meet the requirements of § 70a.7.

RECORD SOURCE CATEGORIES:

Information in this system of records comes from:

- The individual who is the subject of the records.
- Official personnel documents of the agency, including records from any other agency system or records included in this notice.
- Agency officials who respond to Freedom of Information and Privacy Act requests.
- Other sources who the agency believes have information pertinent to an agency decision on a Freedom of Information or Privacy Act appeal.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

The Department of Labor has claimed exemptions for several of its other systems of records under 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6). During the course of processing a Freedom of Information or Privacy Act appeal, exempt materials from those other systems may become part of the case record in this system. To the extent that copies of exempt records from those other systems are entered into these Freedom of Information and Privacy appeals files, the Department has claimed the same exemptions for the records as they have in the original primary system or records of which they are a part.

DOL/SOL-10

SYSTEM NAME:

Privacy Act Litigation Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of the Solicitor, Division of Legislation and Legal Counsel, Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have commenced actions against the Department of Labor under the Privacy Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

Pleadings compiled in the course of litigation and relevant supporting documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 552a; 29 CFR part 70a.

PURPOSE(S):

These records are maintained to defend the Department of Labor against lawsuits.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to the Department of Justice and attorneys of other federal agencies as required in the defense of such actions.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Litigation files maintained in manual files.

RETRIEVABILITY:

Requester's (plaintiff's) name.

SAFEGUARDS:

Files are kept in office suite that is locked after working hours.

RETENTION AND DISPOSAL:

Files are maintained as long as case is open. Upon conclusion of action, files are retired in accordance with agency schedule.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Legislation and Legal Counsel, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-2428, Washington, DC 20210.

NOTIFICATION PROCEDURE:

As in systems manager and address.

RECORD ACCESS PROCEDURE:

As in systems manager and address.

CONTESTING RECORD PROCEDURE:

As in systems manager and address.

RECORD SOURCE CATEGORIES:

Pleadings generated in course of litigation.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/SOL-11

SYSTEM NAME:

Division of Civil Rights Defensive Litigation Files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

United States Department of Labor, room N-2464, 200 Constitution Avenue NW., Washington, DC 20210.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing Federal court actions involving civil rights enforcement activities of the Office of Federal Contract Compliance Programs (OFCCP), Employment Standards Administration or the Directorate of Civil Rights (DCR), Office of the Assistant Secretary for Administration and Management, and other department agencies.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence, reports, legal analyses, and employment and related information provided by plaintiffs, gathered in the course of investigations conducted by OFCCP or DCR, and/or derived from materials filed with the Department of Labor or other Federal agencies, or in connection with administrative and court proceedings.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11246, as amended; the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (38 U.S.C. 2012), as amended; 29 U.S.C. 793, as amended; 42 U.S.C. 2000d *et seq.*, as amended; 29 U.S.C. 794, as amended; 29 U.S.C. 801; 42 U.S.C. 6102, as amended; 29 U.S.C. 1577; 20 U.S.C. 1681; and Secretary's Order Nos. 2-81 and 1-89.

PURPOSE(S):

To defend the Department in legal actions involving the civil rights enforcement activities of OFCCP, DCR or other department agencies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

Records may be made available to Federal, State or local agencies maintaining pertinent records, as

necessary to obtain information relevant to legal actions involving the Department of Labor, and to experts and Department of Justice and Assistant U.S. Attorneys during the course of litigation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Primarily in manual files, some information may be maintained on magnetic media for use in a micro-computer.

RETRIEVABILITY:

Full name of plaintiff.

SAFEGUARDS:

Files located in restricted area of Federal building under guard by security officers; access limited to persons with official business within the agency.

RETENTION AND DISPOSAL:

Files maintained as long as case is open. Archived and destroyed in accordance with agency schedule.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Civil Rights/Office of the Solicitor, room N-2464, 200 Constitution Avenue NW., Washington, DC 20210.

NOTIFICATION PROCEDURE:

Contact system manager.

RECORD ACCESS PROCEDURES:

Contact system manager; requests must comply with the regulations contained at 29 CFR part 70a.

CONTESTING RECORD PROCEDURES:

Contact system manager; petitions for amendment must meet the requirements of 29 CFR part 70a.

RECORD SOURCE CATEGORIES:

Plaintiffs, witnesses, employers, contractors, recipients of Federal financial assistance from the Department of Labor, and Federal, State, and local agency files, and departmental agency files.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), this system is exempt from the following provisions of the Privacy Act: 5 U.S.C. 552(a), (c)(3), (d), (e)(4) (G), (H), and (I), and (f). In addition, as this system may contain files or copies of files from other systems of records compiled in the course of the

administrative and enforcement activities of other department agencies for which the Department, in accordance with section (k)(2) of the Privacy Act, has claimed exemptions from any of the above mentioned provisions of the Act, the Department claims the same exemptions for the records as they have in the primary system of records of which they are a part.

DOL/SOL-12

SYSTEM NAME:

Third-party recovery files.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of the Solicitor, National Office.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals entitled to back wages and other forms of compensation recovered on their behalf by the Labor Department.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include identities of claimants and amount owed to each of them.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11246.

PURPOSES:

These records are maintained where compensation is recovered by the Department of Labor.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Files are maintained in storage cabinets and on discs.

RETRIEVABILITY:

Records are maintained under statute and are retrievable pursuant to which recovery effected and names (alphabetically) of claimant.

SAFEGUARDS:

Records are maintained in manned rooms during working hours. During non-working hours, the file room is locked and the building is protected by the Federal Protective Service. Access to the records is authorized only to DOL personnel on a "need to know" basis.

RETENTION AND DISPOSAL:

Upon completion of a case, third-party recovery files are maintained in the Office of the Solicitor for two years, retired to the appropriate Federal Records Center for five years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESSES:

Deputy Solicitor for National Operations at headquarters.

NOTIFICATION PROCEDURE:

An individual who wishes to determine whether a record is being maintained by the Office of the Solicitor under his or her name or other personal identifier or wants to determine the contents of such records should submit a written request to the Deputy Solicitor for National Operations.

RECORD ACCESS PROCEDURES:

An individual who seeks access to or wishes to contest records maintained under his or her name or other personal identifier may write, call or visit the Deputy Solicitor for National Operations in Washington, DC.

CONTESTING RECORD PROCEDURES:

See Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Agency litigation files.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

When litigation occurs, information from other systems of records may be incorporated into the case file. In certain instances, the incorporated information may be material which the Privacy Act, at 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6), permits an agency to exempt from certain provisions of the Act. To the extent that such exempt material is incorporated into litigation files, the appropriate exemption ((k) (1), (2), (3), (5), and (6)) has also been claimed for the material as it appears in this system. The Office of the Solicitor, pursuant to 5 U.S.C. 552a(d)(5), reserves the right to refuse access to information compiled in reasonable anticipation of a civil action or proceeding.

DOL/SOL-13**SYSTEM NAME:**

SOL Employee Conduct Investigations.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Offices in the Office of the Solicitor at the National Office and in each of the Regional Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

SOL employee(s) against whom any allegations relating to the individual involved.

CATEGORIES OF RECORDS IN THE SYSTEM:

It contains investigative report(s) associated with the case, including interviews and other confidential data gathered.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

The records are maintained to ensure that all appropriate records of problems, misconduct, illegal acts, conflicts of interest, etc., are retained and are available to agency, departmental, and/or other Federal officials having a need of the information in the performance of their official duties and to support actions taken based on the records.

ROUTINE USE RECORDS MAINTAINED IN THE SYSTEMS, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

(1) Disclosure to other Federal agencies and to any other Federal, State, and local government responsible for investigating or prosecuting the violation, or for enforcing or implementing the statute, rule, regulation, order or license, (2) to a Federal agency which has requested information relevant to its hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or issuance of a security clearance, license, contract, grant, or other benefit.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

The records are stored in file folders in metal cabinets.

RETRIEVABILITY:

Filed by name or other identifying code such as a case file number.

SAFEGUARDS:

The files are maintained in locked file cabinets with access only to those with a need to know the information to perform their duties.

RETENTION AND DISPOSAL:

Completed investigations are disposed of after 20 years. Matters not subject to full investigations are disposed of after 10 years.

SYSTEM MANAGER(S) AND ADDRESS:

Office of Management, Office of the Solicitor, 200 Constitution Avenue NW., Washington, DC 20210, and appropriate Regional Offices.

NOTIFICATION PROCEDURE:

Inquiries should be mailed or presented to the system manager noted at the address listed above.

RECORD ACCESS PROCEDURES:

A request for access shall be addressed to the system manager at the address listed above. Individuals must furnish the following information for their records to be located and identified:

- Name.
- Approximate date of the investigation.
- Individuals requesting access must also comply with the Privacy Act regulations regarding verification of identity to records at 29 CFR 70a.4.

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the System Manager and must meet the requirements of 29 CFR 70a.7.

RECORD SOURCE CATEGORIES:

Hotline complaints through the Office of the Inspector General's hotline; hotline complaints through the General Accounting Office's hotline system; incident reports submitted by employees; statements by subject and fellow employees and any other individuals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by 5 U.S.C. 552a(k)(2), this system is exempt from the following provisions of the Privacy Act: 5 U.S.C. 552a(c), 3, (d), (e)(1), (4) (G), (H), (I), and (f) of the Act. Disclosure of information could enable the subject of the record to take action to escape prosecution and could avail the subject greater access to information

than that already provided under rules of discovery. In addition, disclosure of information might lead to intimidation of witnesses, informants, or their families, and impair future investigations by making it more difficult to collect similar information.

DOL/SOL-14**SYSTEM NAME:**

Subpoena Tracking System.

SECURITY CLASSIFICATION:

None.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

DOL employee(s), former employees, contractors and consultants who have been subpoenaed or whose testimony has been requested in actions in which DOL is not a party.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301 and 29 CFR 2.20-2.25.

PURPOSE(S):

These records are maintained in order to keep track of when DOL employees, former employees, contractors and consultants have been subpoenaed or whose testimony has been requested.

ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEMS, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure to attorneys who issued the subpoena, U.S. attorneys and attorneys of other federal agencies as appropriate in order to properly respond to such subpoenas.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

These records are maintained in manual form in metal file cabinets using the name of the individual who has been subpoenaed. Information about the status of the subpoena is also maintained on magnetic media for use in a micro-computer.

RETRIEVABILITY:

Records are retrieved by the name of the individual making the appeal.

SAFEGUARDS:

These records are located in metal filing cabinets in a lockable computer room with access limited to personnel whose duties require access.

RETENTION AND DISPOSAL:

These records are maintained as long as a case is open. Upon conclusion of the matter, files are retired in accordance with agency schedule.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Solicitor, Division of Legislation and Legal Counsel, U.S. Department of Labor, 200 Constitution Avenue, NW., room N-2428, Washington, DC 20210.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the address listed above.

RECORD ACCESS PROCEDURES:

A request for access shall be addressed to the system manager at the address listed above. Individuals must furnish the following information for their records to be located and identified:

- a. Name.
- b. Approximate date of subpoena or request for testimony.

CONTESTING RECORD PROCEDURES:

A request to amend a record shall be addressed to the system manager.

RECORD SOURCE CATEGORIES:

Information in this system of records comes from:

- a. The individual who is requesting the testimony or who has issued the subpoena.
- b. The individual who has been subpoenaed or whose testimony has been requested.
- c. DOL attorneys, Assistant U.S. Attorneys, judges, clerks of courts involved in handling responses to subpoenas.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

DOL/VETS-1**SYSTEM NAME:**

Veterans' Reemployment Rights Complaint File—VETS-1.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Veterans' Reemployment Rights (VRR) Area Offices, Veterans' Employment and Training Service (VETS) Regional Offices, VETS National Office, Regional Solicitor's Offices, National Solicitor's Office.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Veterans, enlistees, examinees, reservists or members of the National Guard of the U.S. Armed Forces on active or reserve service or training duty.

CATEGORIES OF RECORDS IN THE SYSTEM:

Investigatory files compiled for compliance/enforcement of individual cases.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

38 U.S.C., 2021 et seq.

PURPOSE:

Records are maintained for enforcement of federal laws pertaining to rights of veterans, reservists and members of the national guard to return to pre-military civilian employment following periods of active and inactive military duty.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Data processing storage and manual records.

RETRIEVABILITY:

By name of the complainant or name of employer.

SAFEGUARDS:

Secured room, or locked cabinets, and security access requirement for ADP system.

RETENTION AND DISPOSAL:

Records will be maintained by the VETS for 5 years in accordance with NARA retention retirement and disposal schedule.

SYSTEM MANAGER(S) AND ADDRESS:

United States Department of Labor, Veterans' Employment and Training Service, room S1315, 200 Constitution Avenue, NW., Washington, DC 20210, and Regional Offices.

NOTIFICATION PROCEDURES:

See System Managers and Address.

RECORD ACCESS PROCEDURES:

See System Managers and Address.

CONTESTING RECORD PROCEDURES:

See System Managers and Address.

RECORD SOURCE CATEGORIES:

Veterans, employees, employers, Department of Defense, Veterans

Administration, physicians, fellow employees, union officers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Under the specific exemption authority provided by paragraph 3(k)(1) of 5 U.S.C. 552a certain investigatory material compiled for law enforcement purposes which is maintained in the Veterans' Reemployment Rights Complaint File may be exempted from disclosure under the following provisions of the Privacy Act: 5 U.S.C. 552a(c)(3); (d); (e)(1); (e)(4)(F); (e)(4)(G); (e)(4)(H); and (e)(4)(I) and (f); and the portion of 29 CFR part 70a which implements these provisions, if the disclosure of this information could result in the threatening of investigators and/or witnesses, or occasion them and/or their families with adverse consequences or could inhibit the effective investigation of complaints under the Veterans' Reemployment Rights Act and predecessor statutes. In order to conduct effective investigations it is at times necessary to guarantee the confidentiality of information being collected. Release of such information would constitute a break of the guarantee of confidentiality, could lead to the intimidation of witnesses, harassment or dismissal from employment of those involved, and could discourage those contacted from cooperating with investigators in future investigations.

Appendix I—Responsible Officials

The titles of the responsible officials of the various independent agencies in the Department of Labor are listed below. This list is provided for information only, to assist requesters in locating the office most likely to have responsive records. The officials may be changed by appropriate designation. Unless otherwise specified, the mailing addresses of the officials shall be:

U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210.

Secretary of Labor, ATTENTION: Assistant Secretary for Administration and Management (OASAM)

Deputy Solicitor, Office of the Solicitor Assistant Secretary for Administration and Management (OASAM)

Deputy Assistant Secretary for Administration and Management (OASAM)

Director, Office of Personnel Management Services, National Capital Service Center (OASAM)

Director, Office of Procurement Services, National Capital Service Center (OASAM)

Director, Office of Small and Disadvantaged Business Utilization (OASAM)

Deputy Director, National Capital Service Center (OASAM)

Director, Women's Bureau

Chairperson, Employees' Compensation Appeals Board

Deputy Assistant Secretary for Policy
Director, Office of Information and Public
Affairs
Director, Office of Administrative Appeals
Assistant Inspector General, Office of
Resource Management and Legislative
Assessment
Associate Deputy Under Secretary for
International Affairs
Deputy Under Secretary for Labor-
Management Relations and Cooperative
Programs
Commissioner, Bureau of Labor Statistics
Assistant Secretary for Employment
Standards, Employment Standards
Administration (ESA)
Director, Office of Workers' Compensation
Programs, ESA
Director for Federal Employees'
Compensation, OWCP, ESA
Director for Longshore and Harbor Workers'
Compensation, OWCP, ESA
Director for Coal Mine Workers'
Compensation, OWCP, ESA
Administrator, Wage and Hour Division, ESA
Deputy Administrator, Wage and Hour
Division, ESA
Director, Office of Federal Contract
Compliance Programs, ESA
Chief, Division of Policy, Planning and
Review, Office of Federal Contract
Compliance Programs, ESA
Chief, Division of Program Operations, Office
of Federal Contract Compliance Programs,
ESA
Director, Office of Management,
Administration and Planning, ESA
Director, Division of Program Development
and Research, ESA
Director, Division of Personnel and
Organization Management, ESA
Director, Division of Internal Management
Control, ESA
Equal Employment Opportunity Coordinator,
ESA
Director, Office of Information and Consumer
Affairs, ESA
Director, Office of State Liaison and
Legislative Analysis, ESA
Director, Office of Equal Employment
Opportunity, Occupational Safety and
Health Administration (OSHA)
Director, Office of Management
Accountability and Performance, OSHA
Director, Office of Information and Consumer
Affairs, OSHA
Director, Directorate of Federal-State
Operations, OSHA
Director, Office of Training and Education,
OSHA
Director, Directorate of Policy, OSHA
Director, Directorate of Administrative
Programs, OSHA
Director, Office of Personnel Management,
OSHA
Director, Office of Administrative Services,
OSHA
Director, Office of Management Data
Systems, OSHA
Director, Office of Management Systems and
Organization, OSHA
Director, Office of Program Budgeting,
Planning and Financial Management,
OSHA
Director, Directorate of Field Operations,
OSHA

Director, Directorate of Technical Support,
OSHA
Director, Directorate of Safety Standards
Programs, OSHA
Director, Directorate of Health Standards
Programs, OSHA
Deputy Assistant Secretary for Labor
Management Standards
Associate Director for Program Services,
Pension and Welfare Benefits
Administration
Administrative Officer, Veterans'
Employment and Training Service
Deputy Assistant Secretary for Veterans'
Employment and Training
Director, Office of Small and Disadvantaged
Business Utilization
Assistant Secretary for Employment and
Training, ETA
Administrator, Office of Financial and
Administrative Management, ETA
Administrator, Office of Job Training
Programs, ETA
Administrator, Office of Strategic Planning
and Policy Development, ETA
Administrator, Office of Regional
Management, ETA
Administrator, Office of Employment
Security, ETA
Chief, Division of Foreign Labor Certification,
ETA
Director, Office of the Comptroller, ETA
Director, Office of Grants and Contract
Management, ETA
Chief, Division of Acquisition and
Assistance, ETA
Chief, Division of Debt Management, ETA
Staff Assistant, Division of Audit Closeout
and Appeals Resolution, ETA
Director, Office of Information Resources
Management, ETA
Director, Office of Management Support, ETA
Chief, Division of Special Review and
Internal Control, ETA
Chief, Division of Personnel, ETA
Chief, Division of Administrative Services,
ETA
Chief, Division of Program and Fiscal Review,
ETA
Director, Office of Employment and Training
Programs, ETA
Director, Office of Special Targeted
Programs, ETA
Director, Office of Job Corps, ETA
Director, Bureau of Apprenticeship and
Training, ETA
Director, United States Employment Service,
ETA
Director, Unemployment Insurance Service,
ETA
Director, Office of Trade Adjustment
Assistance
The mailing address for responsible
officials of the Office of Trade Adjustment
Assistance, Employment and Training
Administration is:
U.S. Department of Labor/ETA, Office of
Trade Adjustment Assistance, Patrick
Henry Building, 601 D Street, NW., Room
6434, Washington, DC 20213.
The mailing address for the Director of the
Regional Bureau of Apprentice and Training
in Region VIII is:
Room 476, U.S. Custom House, 721—19th
Street, Denver, CO 80202.

The mailing address for responsible
officials in the Mine Safety and Health
Administration is:
4015 Wilson Boulevard, Arlington, Virginia
22203.
Deputy Assistant Secretary
Chief, Office of Congressional and Legislative
Affairs
Director, Office of Information and Public
Affairs
Administrator for Coal Mine Safety and
Health
Chief, Office of Technical Compliance and
Investigation
Administrator for Metal and Nonmetal Mine
Safety and Health
Director, Office of Assessments
Director, Office of Standards, Regulations
and Variances
Director of Program Planning and Evaluation
Director of Administration and Management
Director of Educational Policy and
Development

The mailing address for the Office of
Administrative Law Judges and the Benefits
Review Board is:

1111 20th Street, NW.
Washington, DC 20036
Chief, Office of Administrative Law Judges,
Suite 701
Chair, Benefits Review Board, Suite 757

(1) The titles of the responsible officials in
the field offices of the various independent
agencies are listed below: Unless otherwise
specified, the mailing address for these
officials by region, shall be:

Region I: J.F.K. Building, Government Center,
Boston, Massachusetts 02203
Region II: 201 Varick Street, Room 750, New
York, New York 10014
Region III: 3535 Market Street, Philadelphia,
Pennsylvania 19104
Region IV: 1371 Peachtree Street, NE.,
Atlanta, Georgia 30367
Region V: 230 South Dearborn Street,
Chicago, Illinois 60604
Region VI: 525 Griffin Square Building, Griffin
and Young Streets, Dallas, Texas 75202
Region VII: Federal Office Building, 911
Walnut Street, Kansas City, Missouri 64106
Region VIII: Federal Office Building, 1961
Stout Street, Denver, Colorado 80294
Region IX: 71 Stevenson Street, San
Francisco, California 94119
Region X: 909 First Avenue, Seattle,
Washington, 98174

Regional Administrator for Administration
and Management, OASAM
Regional Personnel Officer, OASAM
Regional Administrator for Information and
Public Affairs
Regional Administrator for Employment and
Training Administration, ETA
Regional Director, Job Corps, ETA
Director, Regional Bureau of Apprenticeship
and Training (ETA)
Regional Administrator for Employment
Standards Administration
Assistant Regional Administrator for Wage
and Hour, ESA
Assistant Regional Administrator for Federal
Contract Compliance Program, ESA
Assistant Regional Administrator for
Workers' Compensation Programs, ESA

Executive Assistant to the Regional Administrator, ESA
State Liaison Adviser, ESA
Office of Workers' Compensation Programs, Deputy Commissioner
Room 1800, J.F.K. Building, Government Center, Boston, Massachusetts 02203
201 Varick Street, Room 750, New York, New York 10014
3535 Market Street, Philadelphia, Pennsylvania 19104
Penn Traffic Building, 319 Washington Street, Johnstown, Pennsylvania 15901 (BLBA only)
South Main Towers, 116 South Main Street, Wilkes-Barre, Pennsylvania 18701 (BLBA only)
Wellington Square, 1225 South Main Street, Greensburg, Pennsylvania 15601 (BLBA only)
31 Hopkins Plaza, Baltimore, Maryland 21201 (LHWCA only)
200 Granby Mall, Norfolk, Virginia 23502 (LHWCA only)
1026 Quarrier Street, First Floor, Charlestown, West Virginia 25301 (BLBA only)
609 Market Street, Parkersburg, West Virginia 26101 (BLBA only)
1100 L Street NW., Room 9101, Washington, DC 20210 (FECA only)
200 Constitution Ave., NW., Room C-4315, Washington, DC 20210 (DCCA)
334 Main Street, Fifth Floor, Pikeville, Kentucky 41501 (BLBA only)
500 Springdale Plaza, Spring Street, Mt. Sterling, Kentucky 40353 (BLBA only)
311 West Monroe, Jacksonville, Florida 32202 (LHWCA only)
400 West Bay Street, Jacksonville, Florida 32202 (FECA only)
230 South Dearborn Street, Chicago, Illinois 60604
1240 East 9th Street, Cleveland, Ohio 44199 (FECA only)
274 Marconi Boulevard, Third Floor, Columbus, Ohio 43215 (BLBA only)
525 Griffin Street, Federal Building, Dallas, Texas 75202
500 Camp Street, New Orleans, Louisiana 70130
12600 North Featherwood Drive, Houston, Texas 77034 (LHWCA only)
601 Rosenberg Avenue, Galveston, Texas 77553 (LHWCA only)
911 Walnut Street, Kansas City, Missouri 64106 (FECA only)
1961 Stout Street, Drawer 3558, Denver, Colorado 80294 (FECA only)
P.O. Box 25346, Denver, Colorado 80225 (BLBA only)
Federal Building, P.O. Box 3769, San Francisco, California 94119
P.O. Box 3327, Terminal Island, California 90731 (LHWCA only)
300 Ala Moana Boulevard, Honolulu, Hawaii 96850
909 1st Avenue, Seattle, Washington 98174
Chief, Division of Mining Information Systems
MSHA
P.O. Box 25367, DFC, Denver, CO 80225-0367
Superintendent, National Mine Health and Safety Academy
P.O. Box 1166, Beckley, WV 25802-1166

Chief, Approval and Certification Center
MSHA
R.R. 1, Box 251, Industrial Park Road, Tridelfia, WV 26059
District Manager for Coal Mine Safety and Health
Penn Place, Room 3128, 20 N. Pennsylvania Avenue, Wilkes-Barre, Pennsylvania 18701
4800 Forbes Avenue, Pittsburgh, Pennsylvania 15213
5012 Mountaineer Mall, Morgantown, West Virginia 26505
P.O. Box 112, Mt. Hope, West Virginia 25880
P.O. Box 560, Norton, Virginia 24273
218 High Street, Pikeville, Kentucky 41501
P.O. Box 572, Barbourville, Kentucky 40906
501 Busserson Street, Vincennes, Indiana 47591
P.O. Box 25367 OFC, Denver, Colorado 80225
P.O. Box 473, Madisonville, Kentucky 42431
District Manager for Metal and Nonmetal Mine Safety and Health
228 Federal Building, Duluth, Minnesota 55802
P.O. Box 927, Vincennes, Indiana 47591
4800 Forbes Avenue, Pittsburgh, Pennsylvania 15213
U.S. Post Office and Courthouse, P.O. Box 1894, Albany, New York 12201-1874
P.O. Box 25367 OFC, Denver, Colorado 80225
307 W. 200 South, Suite 3003, Salt Lake City, Utah 84101
1100 Commerce Street, Room 4C50, Dallas, Texas 75242
P.O. Box 1156, Rolla, Missouri 65401
228 W. Valley Avenue, Room 102, Birmingham, Alabama 35209
301 W. Cumberland Avenue, Room 223, Knoxville, Tennessee 37902
620 Central Avenue, Building 7 AFC, Alameda, California 94501-3898
3221 N. 16th Street, Suite 300, Phoenix, Arizona 85016
117 107th Avenue, NE, Room 100, Bellevue, Washington 98004
Regional Administrator, Occupational Safety and Health Administration
Area Director, OSHA
400-2 Totten Pond Road, 2nd Floor, Waltham, Massachusetts 02154
1550 Main Street, Room 532, Springfield, Massachusetts 01103-1493
Federal Building, Room 334, 55 Pleasant Street, Concord, New Hampshire 03301
40 Western Avenue, Room 121, Augusta, Maine 04330
380 Westminster Mall, Room 243, Providence, Rhode Island 02903
450 Main Street, Room 508, Hartford, Connecticut 06103
90 Church Street, Room 1405, New York, New York 10007
100 South Clinton Street, Room 1267, Syracuse, New York 13260
990 Westbury Road, Westbury, New York 11590
5360 Genesee Street, Bowmansville, New York 14026
136-21 Roosevelt Avenue, 3rd Floor, Flushing, New York 11354
U.S. Courthouse & Federal Office Building, Room 555, Carlos Chardon Avenue, Hato Rey, Puerto Rico 00918
Leo W. O'Brien Federal Building, Room 132, Clinton Avenue & North Pearl Street, Albany, New York 12207

2101 Ferry Avenue, Room 403, Camden, New Jersey 08104
Teterboro Airport Professional Building, Room 206, 377 Route 17, Hasbrouck Heights, New Jersey 07604
2 East Blackwell Street, Dover, New Jersey 07801
Plaza 35, Suite 205, 1030 Saint Georges Avenue, Avenel, New Jersey 07001
U.S. Custom House, Room 242, Second & Chestnut Street, Philadelphia, Pennsylvania 19106
Federal Office Building, Room 3007, 844 King Street, Wilmington, Delaware 19801
Federal Building, Room 2236, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15522
Rathrock Building, Room 408, 121 West 10th Street, Erie, Pennsylvania 16501
Federal Building, Room 1110, Charles Center, 31 Hopkins Plaza, Baltimore, Maryland 21201
Penn Place, Room 2005, 20 North Pennsylvania Avenue, Wilkes-Barre, Pennsylvania 18701
850 N. 5th Street, Allentown, Pennsylvania 18102
Progress Plaza, 49 North Progress Street, Harrisburg, Pennsylvania 17109
200 Granby Mall, Federal Office Building, Room 340, Mall Drawer 486, Norfolk, Virginia 23510
550 Eagan Street, Room 206, Charleston, West Virginia 25301
Building 10, Suite 33, La Vista Perimeter Office Park, Tucker, Georgia 30084
1600 Drayton Street, Savannah, Georgia 31401
Todd Mall, 2047 Canyon Road, Birmingham, Alabama 35216
951 Government Street, Suite 502, Mobile, Alabama 36604
1835 Assembly Street, Room 1468, Columbia, South Carolina 29201
1720 West End Ave., Suite 302, Nashville, Tennessee 37203
Federal Building, Suite 1445, 100 West Capitol Street, Jackson, Mississippi 39269
Federal Building, Room 108, 330 W. Broadway, Frankfort, Kentucky 40601
Federal Building, Room 302, 299 East Broward Boulevard, Fort Lauderdale, Florida 33301
700 Twigg Street, Room 624, Tampa, Florida 33602
Art Museum Plaza, Suite 17, 2747 Art Museum Drive, Jacksonville, Florida 32207
Century Station, Room 104, 300 Fayetteville Mall, Raleigh, North Carolina 27601
1400 Torrence Avenue, 2nd Floor, Calumet City, Illinois 60409
6000 West Touhy Avenue, Niles, Illinois 60648
344 Smoke Tree Business Park, North Aurora, Illinois 60542
United States Post Office & Courthouse, Room 422, 46 East Ohio Street, Indianapolis, Indiana 46204
2618 North Ballard Road, Appleton, Wisconsin 54915
Federal Building, U.S. Courthouse, 500 Barstow Street, Room B-9, Eau Claire, Wisconsin 54701
Henry S. Reuss Building, 310 West Wisconsin Avenue, Suite 1180, Milwaukee, Wisconsin 53203
2934 Fish Hatchery Road, Suite 220, Madison, Wisconsin 53713

Federal Office Building, Room 4028, 550 Main Street, Cincinnati, Ohio 45202
 Federal Office Building, Room 899, 1240 East 9th Street, Cleveland, Ohio 44199
 Federal Office Building, Room 634, 200 North High Street, Columbus, Ohio 43125
 Federal Office Building, Room 734, 234 North Summit Street, Toledo, Ohio 43604
 110 South 4th Street, Minneapolis, Minnesota 55401
 2001 West Willow Knolls, Peoria, Illinois 61614
 218A Main Street, Belleville, Illinois 62220
 231 West Lafayette, Room 628, Detroit, Michigan 48226
 Hoover Annex, Suite 20, 2156 Wooddale Boulevard, Baton Rouge, Louisiana 70806
 1425 West Pioneer Drive, Irving, Texas 75061
 Government Plaza, Room 300, 400 Main Street, Corpus Christi, Texas 78408
 611 East 6th Street, Room 303, Austin, Texas 78701
 Federal Building, Room 421, 1205 Texas Avenue, Lubbock, Texas 79401
 2320 LaBranch Street, Room 1103, Houston, Texas 77004
 Western Bank Building, Room 1810 505 Marquette Avenue, NW., Albuquerque, New Mexico 87102
 210 Walnut Street, Room 815, Des Moines, Iowa 50309
 Overland-Wolf Building, Room 100, 6910 Pacific Street, Omaha, Nebraska 68106
 4300 Goodfellow Boulevard—Building 105E, St. Louis, Missouri 63120
 Savers Building, Suite 828, 320 West Capitol Avenue, Little Rock, Arkansas 72201
 720 West Main Place, Suite 725, Oklahoma City, Oklahoma 73102
 218 North Waco, Suite B, Wichita, Kansas 67202
 911 Walnut Street, Room 2202, Kansas City, Missouri 64106
 19 North 25th Street, Billings, Montana 59101
 P.O. Box 15200, 1781 South 300 West, Salt Lake City, Utah 84115
 801 Ignacio Valley Road, Walnut Creek, California 94596
 400 OceanGate, Suite 530, Long Beach, California 90802
 Tremont Center, 1st Floor, 333 West Colfax, Denver, Colorado 80204
 3221 North 16th Street, Suite 100, Phoenix, Arizona 85016
 550 East Charleston Blvd., Las Vegas, Nevada 89104
 1220 Southwest 3rd Street, Room 640, Portland, Oregon 97204
 701 C Street, Box 29, Anchorage, Alaska 99513
 121-107th Street, NE., Bellevue, Washington 98004
 Federal Building, Room 324, 550 West Fort Street, Box 007, Boise, Idaho 83724
 Federal Building, Room 348, P.O. Box 2439, Bismarck, North Dakota 58501
 300 Ala Moana Boulevard, Suite 5122, P.O. Box 50072, Honolulu, Hawaii 96850

Office of Labor Management Standards, Area Administrator or District Director
 OLMS Area Administrators
 Room 300, 1371 Peachtree Street, NE, Atlanta, GA 30367
 Room 801, J.W. McCormack Bldg. POCH, Boston, MA 02109
 Room 774, 230 S. Dearborn Street, Chicago, IL 60604
 Room 831, 1240 E. Ninth Street, Cleveland, OH 44199
 Room 300, 525 Griffin Sq. Bldg., Griffin & Young Streets, Dallas, TX 75202
 Room 1606, 911 Walnut Street, Kansas City, MO 64106
 Room 878, 201 Varick Street, New York, NY 10014
 Room 9452, 600 Arch Street, Philadelphia, PA 19106
 Suite 725, 71 Stevenson Place, San Francisco, CA 94105
 Room 558, 1730 K Street, NW, Washington, DC 20006
 OLMS District Directors
 Suite 29, First Fidelity Bank Bldg., Boardwalk & Tennessee Avenue, Atlantic City, NJ 08401
 Room 1310, 111 W. Huron Street, Buffalo, NY 14202
 Suite 950, 525 Vine Street, Cincinnati, OH 45202
 Room 1523, 1961 Stout Street, Denver, CO 80294
 Room 630, 231 W. Lafayette Street, Detroit, MI 48226
 Room 350, Federal Office Bldg., Carlos Chardon Street, Hato Rey, PR 00918
 Room 2108, 2320 La Branch, Houston, TX 77004
 Room 706, 3660 Wilshire Boulevard, Los Angeles, CA 90010
 Suite 503, 111 NW 183rd Street, Miami, FL 33169
 Room 118, 517 East Wisconsin, Milwaukee, WI 53202-4504
 Suite 100, 220 South Second Street, Minneapolis, MN 55401
 Suite 238, 233 Cumberland Bend Drive, Nashville, TN 37228
 Room 201, 134 Evergreen Place, East Orange, NJ 07018
 Room 804, 234 Church Street, New Haven, CT 06510
 Room 13009, 701 Loyola Avenue, New Orleans, LA 70113
 Room 804, 1000 Liberty Avenue, Pittsburgh, PA 15222
 Room 555, 210 Tucker Boulevard, St. Louis, MO 63101
 Room 3095, 909 First Avenue, Seattle, WA 98174
 Suite 401, 1211 N. Westshore Boulevard, Tampa, FL 33607
 Pension and Welfare Benefits Administration
 Area Director or District Supervisor:
 Area Director
 J.W. McCormick Post Office and Court House Building, Suite L-2, Boston, Massachusetts 02109

Area Director
 26 Federal Plaza, Room 537, New York, New York 10278
 Area Director
 3535 Market Street, Room M300, Gateway Building, Philadelphia, Pennsylvania 19104
 District Supervisor
 Riddell Building, Room 55, 1730 K Street, NW., Washington, DC 20006
 Area Director
 1371 Peachtree Street, NE., Room 205, Atlanta, Georgia 30367
 District Supervisor
 Washington Square Building, Suite 504, 111 N.W. 183rd Street, Miami, Florida 33169
 Area Director
 Ft. Wright Executive Building, Suite 210, 1885 Dixie Highway, Ft. Wright, Kentucky 41011
 District Supervisor
 Federal Building & U.S. Courthouse, Room 619, 231 W. Lafayette Street, Detroit, Michigan 48226
 Area Director
 175 W. Jackson Boulevard, Suite 1207, Chicago, Illinois 60604
 Area Director
 Federal Office Building, Room 2200, 911 Walnut Street, Kansas City, Missouri 64106
 District Supervisor
 210 N. Tucker Boulevard, Room 570, St. Louis, Missouri 63101
 Area Director
 Federal Office Building, Room 707, 525 Griffin Street, Dallas, Texas 75202
 Area Director
 Suite 915, 71 Stevenson Street, P.O. Box 3455, San Francisco, California 94119-3455
 District Director
 Federal Office Building, Room 3135, 909 First Avenue, Seattle, Washington 98174
 Area Director
 3660 Wilshire Boulevard, Room 718, Los Angeles, California 90010
 Regional Administrators, Veterans' Employment and Training Service
 Region I:
 506 JFK Federal Building, Government Center, Boston, Massachusetts 02203
 Region II:
 201 Varick Street, Room 750, New York, New York 10014
 Region III:
 U.S. Customs House, Room 240, Second and Chestnut Streets, Philadelphia, Pennsylvania 19106
 Region IV:
 1371 Peachtree Street, NE., Room 718, Atlanta, Georgia 30367
 Region V:
 230 South Dearborn, Room 1064, Chicago, Illinois 60604
 Region VI:
 525 S. Griffin Federal Building, Room 204, Griffin and Young Streets, Dallas, Texas 75202
 Region VII:
 Federal Building, Room 800, 911 Walnut Street, Kansas City, Missouri 64106
 Region IX:
 Federal Building, P.O. Box 3769, San Francisco, California 94119

APPENDIX II.—FOR GENERAL ASSISTANCE, YOU MAY WISH TO CONTACT THE FOLLOWING AGENCY COORDINATORS FOR THE PRIVACY ACT

Agency	Person	Address	Telephone
Office of the Secretary (O/SECY)	John Bergstrom	Rm. N-1301, F.P. Bldg.	523-6295
Office of the Ass't. Secretary for Admin. and Management (OASAM)	John Bergstrom	Rm. N-1301, F.P. Bldg.	523-6295
Office of the Admin. Law Judges (O/ALJ)	P.J. Jacoby	Rm. 704	653-5052
Benefit Review Board (BRB)	Lisa Lahman	Rm. 757, Vanguard Bldg.	653-5060
Bureau of Labor Management Relations and Cooperative Programs	Tony Massey	Rm. N-5402, F.P. Bldg.	523-6231
Bureau of Labor Statistics (BLS)	Debera Solis	Rm. 2100, GAO Bldg.	523-1971
Employee's Compensation Appeals Board (ECAB)	Mary Ellen McKenna	Rm. 300, Reporters Building	472-3066
Employment Standards Admin. (ESA)	Dorothy Chester	Rm. S-3013C, F.P. Bldg.	523-8447
Employment and Training Admin. (ETA)	Patsy Files	Rm. N-4671, F.P. Bldg.	535-0695
Office of the Inspector General (OIG)	Pam Davis	Rm. S-5506, F.P. Bldg.	523-6747
Deputy Under Secretary for International Affairs or Bureau of International Labor Affairs (ILAB)	Patricia Clark	Rm. S-5303, F.P. Bldg.	523-6136
Office of Labor-Management Standards (OLMS)	James Santelli	Rm. N-5613, F.P. Bldg.	523-7373
Mine Safety and Health Admin. (MSHA)	Richard Baker	Rm. 727, Ballston Towers #3, Arlington, VA.	235-1470
Occupational Safety and Health Admin. (OSHA)	James Foster	Rm. N-3647, F.P. Bldg.	523-8148
Pension and Welfare Benefits Admin. (PWBA)	June Patron	Rm. N-5670, F.P. Bldg.	523-6999
Office of the Solicitor (O/SOL)	Miriam Miller	Rm. N-2428, F.P. Bldg.	523-8188
Office of Veterans' Employment and Training (VETS)	John Tieso	Rm. S-1316, F.P. Bldg.	523-8611

Building Addresses

a. Frances Perkins Building, 200 Constitution Avenue, NW., Washington, DC 20210.

b. GAO Building, 441 G Street, NW., Washington, DC 20212.

c. Ballston Towers No. 3, 4015 Wilson Boulevard, Arlington, VA 22203.

d. Reporters' Building, 300 7th Street, SW., Washington, DC 20024.

e. Vanguard Building, 1111 20th Street, NW., Washington, DC 20036.

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Environmental Protection

Wednesday
February 28, 1990

Part III

Environmental Protection Agency

40 CFR Part 86

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Certification Procedures; Final Rule

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 86**

[AMS-FRL-3617-4]

RIN 2060-AB54

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Certification Procedures**AGENCY:** Environmental Protection Agency.**ACTION:** Final rule.

SUMMARY: This rule revises the new motor vehicle and new motor vehicle engine certification procedure for 1992 and later model year light-duty vehicles (LDV's), light-duty trucks (LDT's), heavy-duty vehicles (HDV's) and heavy-duty engines (HDE's). The revisions primarily apply to manufacturers certifying under the small-volume manufacturers and small-volume engine family certification regulations. Some minor revisions are included which apply to all manufacturers. EPA published the proposed revisions to the motor vehicle and engine certification procedure in a notice of proposed rulemaking (53 FR 7676) on March 9, 1988. The proposed revisions were designed to improve the assurance that emission control systems (and fuel metering systems) on vehicles and engines certified under the Agency's small-volume certification procedures were satisfactorily durable. In addition, the Agency proposed minor revisions to assure that the current voluntary actions of most manufacturers with regard to the certification process are performed by all manufacturers requesting vehicle certification. EPA received comments on the proposed revision from six vehicle or engine manufacturers and one company representing a manufacturer. A summary and analysis of the comments has been placed in Public Docket Number A-85-30. These comments were considered in preparing this Final Rule.

EFFECTIVE DATES: March 30, 1990.

ADDRESSES: Copies of materials relevant to this rulemaking proceeding are contained in Public Docket A-85-30 at the U.S. Environmental Protection Agency, Central Docket Section, Room 4, South Conference Center (LE-131A), Waterside Mall, 401 M Street, SW., Washington, DC 20460, and are available for review weekdays between 8 a.m. and 3 p.m. As provided in 40 CFR part 2 a reasonable fee may be charged for copying services.

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SUPPLEMENTARY INFORMATION:**I. Background**

Under the authority of the Clean Air Act, EPA has promulgated certification regulations which historically allowed manufacturers to certify a limited number of vehicles or engines (i.e., 2,000 units in any vehicle or engine category) using small-volume certification procedures. The small-volume certification procedures allowed certification to be based on deterioration factors (d.f.'s) provided by EPA (assigned d.f.'s) rather than actual durability test results. EPA promulgated revisions (46 FR 16259) to the small-volume certification procedures in March 1981, allowing small-volume manufacturers to certify up to 10,000 units annually using assigned d.f.'s. The revised small-volume manufacturer certification procedure reduced the administrative and testing burden associated with certification.

To reduce certification program costs to larger manufacturers, in October 1981, EPA promulgated revisions (46 FR 50464) to the certification regulations applicable to manufacturers with sales of 10,000 or more units per year. Included in these revisions was a provision which allowed larger manufacturers to certify small-volume engine families with a cumulative total of fewer than 10,000 units per manufacturer using assigned d.f.'s. These revised procedures reduce the administrative and cost burden of the certification regulations on larger manufacturers (i.e., manufacturers producing 10,000 or more units per year) for some small engine families.

EPA proposed additional revisions (53 FR 7676) to the small-volume manufacturer and small-volume engine family certification procedures on March 9, 1988. The proposed revisions mainly addressed the durability requirement for vehicles and engines certified according to the Agency's small-volume manufacturers certification procedures. Some additional changes were proposed which affect all manufacturers using the certification process. These additional changes clarify regulatory intent and put in regulatory form several procedures voluntarily being followed by the majority of certifying manufacturers. Putting these procedures into the regulations will assure they are also

carried out by any new manufacturer seeking certification.

Written comments on the proposed revisions were submitted by Chrysler Motors Corporation, Cummins Engine Company, Inc., Ford Motor Company, General Motors Corporation (GM), Volkswagen of America, Inc. (VWofA), Toyota Technical Center, and Olson Engineering Inc. (representing Officine Alfieri Maserati S.P.A.). Chrysler and Olson also presented testimony at the public hearing held to discuss the notice of proposed rulemaking. All significant comments on the notice are analyzed in a document entitled, "Summary and Analysis of Comments Pertaining to the Proposed Rulemaking Entitled 'Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines; Certification Procedures.'" The summary and analysis of comments is in the Public Docket.

II. Issues Considered and Adopted**A. Model Year of Implementation**

In this final rule, EPA is promulgating revisions to the motor vehicle and motor vehicle engine emission certification procedures for LDV's, LDT's, HDV's and HDE's effective beginning with the 1992 model year. EPA had originally proposed that these revisions should become effective beginning with the 1990 model year. However, GM, Chrysler and Olson commented that implementation of proposed revisions would not be feasible for the 1990 model year. Chrysler also indicated that its ability to carry out these proposals for the 1991 model year is questionable. GM and Olson indicated that the proposals should not be implemented prior to the 1992 model year.

Presently, implementation of this final regulation is no longer practicable for the 1990 model year. Most firms are nearing completion of their 1990 certification programs. Except possibly for the durability testing provision, the provisions of this final rule could still be implemented for the 1991 model year. With regard to durability testing, it should be possible for many manufacturers to make special schedule arrangements to perform tests on the additional durability test vehicles required by these regulations and still complete certification on time to meet their production and marketing plans. As pointed out in the NPRM, a durability test vehicle requires approximately 4 months to complete. However, EPA agrees that implementation for the 1991 model year might unduly limit planning time, and may not provide sufficient contingency

time to deal with any problems which might arise during development or durability testing. To prevent any undue disruption or hardship for certifying manufacturers, and to allow sufficient time for the manufacturers to make their product plans for future model years, EPA is designating the 1992 model year as the effective year for these regulations.

B. Durability Demonstration Requirements

Under the existing certification regulations small-volume manufacturers and larger manufacturers certifying small-volume engine families may utilize EPA-derived assigned d.f.'s in place of completing the full durability evaluation (i.e., 50,000 miles for light-duty vehicles). As a result, the durability demonstration requirements imposed on manufacturers utilizing the small-volume certification procedures do not vary according to the previous durability history of the emission control components or systems (and fuel metering systems).

In today's final rule, EPA is adopting changes, proposed in the NPRM, that make durability demonstration requirements for small-volume manufacturers and larger manufacturers certifying small-volume engine families contingent on the previous history of the component or system. These changes apply to all manufacturers certifying under the small-volume program with annual sales of more than 300 units per year. Changes are adopted in three areas.

First, EPA is adopting the use of manufacturer-determined assigned d.f.'s in place of EPA-derived assigned d.f.'s for exhaust emission certification of gasoline-fueled and diesel LDV's that use proven emission control components or systems (and fuel metering systems).¹ The assigned d.f.'s will be determined by the manufacturer using its good engineering judgment. As proposed, the manufacturer-determined assigned d.f.'s can be no less than the d.f.'s the

manufacturer determined itself from running durability vehicles—either the averages of these durability vehicle d.f.'s or the 70th percentiles of the d.f.'s, whichever are lower. Manufacturers who do not have d.f. data on at least two certification durability-data vehicles may not certify with manufacturer-determined assigned d.f.'s lower than values specified by EPA.

Second, EPA is adopting rules that require full durability evaluation of unproven emission components or systems (and fuel metering systems).² To reduce the durability demonstration costs in any one year, the manufacturer needs to conduct durability testing on vehicles representing only 25 percent of those that will be equipped with previously unproven technology. Upon completion of the 25 percent durability requirement and certification of those vehicles, the remainder of those small-volume manufacturer's unproven emission control technology sales for that model year may be certified using manufacturer-determined assigned d.f.'s.

Finally, EPA is adopting rules that eliminate the use of assigned d.f.'s for LDV and LDT evaporative emissions, and LDT and HDE exhaust emissions. In these cases, EPA proposed eliminating assigned d.f.'s as redundant and unnecessary since the manufacturer can already determine the appropriate deterioration using good engineering judgment as specified in the current certification regulations (e.g., 40 CFR 86.090-24(c)).

EPA will continue to provide EPA-derived assigned d.f.'s for manufacturers whose sales do not exceed 300 units per year. However, as required under EPA's current assigned d.f. program, each manufacturer must still determine that the EPA-derived assigned d.f.'s appropriately represent the deterioration of its vehicles or request use of alternative d.f.'s that it has determined to be more appropriate.

GM recommended that, when sufficient durability data is available, the manufacturer-specific d.f.'s (both manufacturer average and 70th percentile d.f.'s) be generated using only the data from systems similar to the proposed design in lieu of using all existing manufacturer's certification durability data (40 CFR 86.090-26(a)(2) and (a)(4)). EPA agrees that allowing the manufacturer to limit the durability data to that from similar systems³ for

calculating the manufacturer-specific average and 70th percentile d.f.'s would provide d.f.'s that are more representative of the manufacturer's specific designs than those obtained using all the manufacturer's durability data. This is especially true of larger manufacturers, (e.g., GM, Ford, Chrysler, Toyota, Honda, etc.), who have completed a large number of durability-data vehicles equipped with various emission control designs and, therefore, have a larger bank of durability data. To take advantage of this option, the manufacturer must have generated data from at least two engine families within a similar system subcategory to be able to generate manufacturer-specific similar system d.f.'s.

Data from any one durability data vehicle may be used only once. It would be inappropriate for a manufacturer to use similar system durability data to calculate its manufacturer-specific similar system d.f.'s, and then include the same data with the remaining durability data from all or its other systems to generate its manufacturer-specific general d.f.'s. This approach could result in inappropriately low general d.f.'s. Therefore, any durability data used in generating similar system d.f.'s can not be included in generating the manufacturer-specific general d.f.'s used to certify the manufacturer's remaining proven vehicle systems.

Chrysler stated that the definition of the means of calculating manufacturer-determined d.f.'s is unclear. Chrysler questioned the nature of the data to be included in the calculation of the manufacturer-specified assigned d.f.'s. EPA has clarified the regulations with regard to the following points. EPA intended that the manufacturer-specific average or 70th percentile d.f.'s be calculated using the same protocol used by EPA in calculating the EPA industry-wide assigned d.f.'s. Specifically, EPA includes the data from a durability-data vehicle only once. Therefore, carry over data are not repetitively included in the calculation. In addition, EPA calculates each constituent separately. Chrysler is correct that each manufacturer determines its own manufacturer-specific d.f.'s. Other manufacturers' data is not included in the calculation.

Chrysler asked if EPA assigned d.f.'s would be provided for manufacturers

¹ Proven emission control components or systems (and fuel metering systems) are components or systems that have completed full durability testing evaluation over a vehicle's useful life in some other certified engine family, or have completed bench or road testing demonstrated to be equal or more severe than certification mileage accumulation requirements. Alternatively, proven components or systems are those that are determined by EPA to be of comparable functional quality and manufactured using comparable materials and production techniques as components or systems which have been durability demonstrated in some other certified engine family. In addition, the components or systems must be employed in an operating environment (e.g., temperature, exhaust flow, etc.) similar to that experienced by the original components or systems in the original certified engine family.

² Unproven emission control systems are emission control components or systems (and fuel metering systems) that do not qualify as proven emission control systems.

³ Similar systems are all light-duty vehicles which use the same fuel (e.g., gasoline, diesel, etc.);

combustion cycle (i.e., two or four stroke); general type of fuel system (i.e., carburetor or fuel injection); general type of fuel system (i.e., carburetor or fuel injection); catalyst system (e.g., none, oxidation, three-way plus oxidation, three-way only, etc.); fuel control system (i.e., feedback or nonfeedback); secondary air system (i.e., equipped or not equipped); and EGR (i.e., equipped or not equipped).

who do not have sufficient data to calculate manufacturer-specific d.f.'s. As proposed, all LDV manufacturers with annual sales over 300 units must determine the assigned d.f.'s for exhaust emissions appropriate for their technology. However, for manufacturers who have not previously run two or more certification durability-data vehicles, the manufacturer need not establish the minimum acceptable d.f.'s. EPA will provide these values.

The level of durability demonstration will be affected by whether an emission component or system (or fuel metering system) is identified as "proven" or "unproven" technology. Olson stated that the proposed definition of "proven components" was too restrictive and would limit the introduction of new technology by small-volume manufacturers. GM and Olson stated that the definition of "proven components" GM and Olson stated that the definition of "proven components" should be expanded. GM and Olson indicated that those components validated using bench testing or road testing procedures that are equal to or more severe than certification durability should be included. Exploring this same issue, Chrysler questioned whether a system certified by the California Air Resources Board (CARB), or used for years on European and specialty type vehicles will be considered as falling within the category of "proven components or systems."

EPA has previously accepted properly designed bench or road tests to prove durability of components or systems under EPA's current d.f. program. However, the bench or road test testing was supported by certification durability data that correlated to the bench or road testing. EPA agrees that properly designed bench or road tests which include emission performance evaluations that are equal to or more severe than certification durability should be included in the definition of "proven components or systems." However, the manufacturer using other than certification durability to prove the durability of components or systems has the responsibility of demonstrating to EPA that the bench test or road test is equal to or more severe than certification durability.

The durability mileage accumulation requirements for CARB certification of new passenger cars (i.e., CARB's equivalent to EPA's LDV's) are the same as EPA durability mileage requirements. CARB requires that passenger cars complete the same certification mileage accumulation cycle (for 50,000 mile durability) as EPA. Therefore, EPA will

accept as "proven technology" components or systems completing CARB new passenger car full durability mileage accumulation requirements.

Finally, Chrysler suggested that EPA conduct a workshop to clarify the d.f. issues prior to revising the NPRM. EPA believes that the public hearing and comment period provided sufficient opportunity for commenters to identify their concerns to EPA. Further, EPA believes all of Chrysler's and other commenters' questions have now been adequately addressed and the d.f. issues adequately clarified in this final rule, eliminating the need for a workshop prior to implementation of these regulations.

C. Maintenance and Warranty Service

In this final rule, EPA is adopting the proposal as presented in the NPRM, that each small-volume manufacturer provide a statement to EPA at the time it requests certification affirming that it will have a qualified service facility⁴ and repair parts conveniently available,⁵ and it has provided the vehicle purchaser a list of emission and emission-related parts. The manufacturer must also notify the owner, at the time of sale, of the location of the nearest qualified service facility, if such service is not available at the authorized point of sale for its vehicles, and assure the purchaser that emission-related service parts will be available at or through these service locations. If an imported nonconforming vehicle is owned by the ultimate purchaser prior to modification under a certificate of conformity, the manufacturer (in this case the vehicle modifier) must notify the vehicle owner of the location of the qualified service facility and the availability of service parts at the time the modified vehicle is delivered to the vehicle owner. Finally, EPA is requiring that all manufacturers already required to have an insurance policy guaranteeing warranty service (40 CFR 85.1510), provide evidence of the fully-paid policy or proof of a contractual agreement to purchase insurance as a prerequisite to certification.

⁴ A qualified service facility is a service facility which has: vehicle maintenance instructions; trained service personnel; applicable tools and equipment, including special tools if required; and spare parts for the manufacturer's vehicles.

⁵ Conveniently available—For small-volume manufacturers, "conveniently available" means that the vehicle manufacturer has a qualified service facility at or near the authorized point of sale for its vehicle and maintains an inventory of all emission-related spare parts or has made arrangements for the part manufacturers to supply the parts by expedited shipment (e.g., utilizing overnight express delivery service, UPS, etc.).

The above requirements will not obligate a manufacturer to establish a network of service facilities throughout the manufacturer's state of residence or throughout the United States. At a minimum, the manufacturer, should have a qualified service facilities available at or near the point of sale or delivery of its vehicles. Service parts must be available at or through the service facility. The vehicle owner or other service facilities should be able to obtain service parts from or through the manufacturer's service facility by calling the manufacturer.

EPA expressed a concern in the NPRM that some small-volume manufacturers may not have sufficient incentives to provide adequate maintenance and warranty service. Further, without some additional incentive to these manufacturers to provide adequate service, EPA was concerned that the emission systems of some of these vehicles might not be properly maintained. EPA invited public comment on whether availability of service by small-volume manufacturers would be adequate to meet the warranty requirements of section 207(b) of the Clean Air Act. In the notice, EPA indicated that should comments from the regulated industry indicate that service and parts availability were a problem, in the final rule EPA would change the maintenance and service requirements to increase the likelihood that vehicle owners would be able to obtain proper maintenance and warranty service from small-volume manufacturers.

GM's comments on this issue indicate that it shares the concern that EPA expressed in the notice regarding the availability of maintenance and warranty service provided by small-volume manufacturers. Further, GM's comments support the proposed changes that are intended to assure the availability of maintenance and warranty service from small-volume manufacturers. No one else commented on the issue.

In light of the concerns raised by EPA in the NPRM along with GM's support and the lack of any opposing comments, EPA is promulgating the changes as proposed in the notice.

D. Vacuum Hose Routing Diagram

In this final rule, EPA is requiring that a vacuum hose routing diagram be included on each certified vehicle if the vehicle is equipped with vacuum actuated emission-related or emission-critical parts. The regulations being published today, as requested by Chrysler, Toyota, and VWoA, include

several modifications to be consistent with the majority of the CARB vacuum hose routing diagram requirements. The regulations include provisions that allow the manufacturer, at its option, to display the vacuum hose routing diagram on a permanent label separate from the emission control information label. Further, when a vehicle contains no vacuum-controlled emission or emission-related components, no vacuum diagram is required.

Toyota recommended that EPA allow the manufacturer to use a material of the manufacturer's choice for the separate label which may not meet the destructibility requirements applicable to the vehicle emission control information label. The California vacuum hose routing diagram labeling requirements allow the manufacturer to use a material for the separate label which does not meet the destructibility provisions that apply to the vehicle emission control information label. Currently, California and EPA require that the vehicle emission control information label be a permanent label affixed in such a manner that it cannot be removed without destroying or defacing the label (e.g., 40 CFR 86.088-35(a)(1) and (a)(1)(i)).

As stated in the NPRM, the vacuum hose routing diagram label will aid in-use vehicle inspection by making it easier for inspectors to verify that the emission control hardware is properly installed. Further, it will assist mechanics in checking their work for proper installation. A label which does not meet the destructibility requirements may be removed more easily from the vehicle thereby defeating the purpose of having the vacuum hose routing diagram label on the vehicle. Therefore, EPA concludes that, to accomplish the intended purpose, the label must be a permanent type which cannot be removed without defacing or destroying the label. Consequently, EPA is not adopting Toyota's recommendation in the final rule.

E. Aggregation

This final rule is adopting the three revisions proposed in the NPRM relating to the applicability of the small-volume manufacturer and engine family rules. The first revision clarifies EPA's current practice of evaluating each manufacturer's small volume certification status based on aggregated sales when one manufacturer owns 10% or more of another. The second revision extends the 10% ownership rule, applicable to two-party relationships, to relationships involving more than two parties (e.g., one manufacturer owns 10% or more of two or more firms). The third

revision extends EPA's current interpretation of corporate control of one manufacturer by another, for purposes of aggregation, to include all firms that have common corporate officers. These revisions, while not departing from EPA's existing policy regarding small-volume manufacturer aggregation, will provide a vehicle manufacturer with a clearer understanding of how various relationships with other manufacturers will affect its certification status.

EPA uses criteria such as the financial or managerial links between two or more firms to determine whether there is a sufficient level of interrelationship between these firms to warrant aggregation of their sales. When two or more firms are sufficiently interrelated, the combined total sales of the involved firms are used to determine the eligibility of each firm to utilize the small-volume certification program procedures. That is, EPA first uses the 10 percent threshold of ownership to determine whether the sales of the firms should be aggregated for purposes of applying the small-volume manufacturer rules. If so, after aggregating the sales, EPA then utilizes a second threshold (50 percent) to determine how many units may be certified by the aggregated relationship under the small-volume engine family procedures. EPA's general aggregation policy for small-volume manufacturers and small-volume engine families is described in EPA's Advisory Circular Number 51C. The following describes three specific cases in which this policy is implemented.

1. If a manufacturer purchases less than 50 percent of another manufacturer, each manufacturer retains its right to certify up to 10,000 units using small-volume certification procedures.

2. If a manufacturer purchases 50 percent or more of another manufacturer, both manufacturers must share the 10,000 units exempt from durability demonstration.

3. In a joint venture arrangement (50/50 ownership) between two manufacturers, each manufacturer retains its eligibility for up to 10,000 units under the small-volume certification procedures, but the joint venture must draw its maximum 10,000 units from the maximum of 20,000 units allocated to its parent manufacturers.

Under this policy, manufacturers can certify their small-volume sales using either the small-volume "manufacturer" or the small-volume "engine family" certification procedures. The total combined projected sales (i.e., the aggregated projected sales resulting from greater than 10 percent ownership)

of all involved manufacturers determines the certification procedures that each manufacturer may use. When the aggregated yearly sales do not exceed 300 units, each manufacturer in the relationship may certify all of its sales using the small-volume manufacturer certification provisions that are designated for manufacturers of less than 300 units per year. When the aggregated yearly sales are between 300 and 10,000 units, each manufacturer in the relationship may certify all of its sales using the small-volume manufacturer provisions that are designated for manufacturers of less than 10,000 units per year. When the percentage ownership of one manufacturer by another is less than 50 percent and the aggregated sales equal or exceed 10,000 units per year, each manufacturer in the relationship may still certify up to 9,999 units using small-volume engine family provisions. Only when the percentage ownership of one manufacturer by another is 50 percent or more and the aggregated sales exceed 9,999 units per year, are the involved manufacturers required to share the number of units allocated to the parent manufacturer to certify using the small-volume engine family provisions.

In this final rule, EPA is adopting the three proposed revisions to the regulations affecting aggregation criteria currently used to determine a manufacturer's eligibility for small-volume manufacturer status. The first revision clarifies in the regulations EPA's current method of applying aggregation criteria, and reads as follows: When one firm leases, operates, controls, supervises or in ten percent or greater part owns production facilities used by another manufacturer, then the combined sales of both manufacturers (or multiple manufacturers in the case of three or more) shall be used to determine the eligibility of each manufacturer to certify under the small-volume manufacturer rules. The second revision states when a third party has equity ownership of ten percent or more in two or more firms, the sales shall be aggregated. This provision is a natural extension of the previous regulations which specified that one firm will be aggregated with another if one of them owns ten percent or more of the other firm. The third revision states when two or more firms have common corporate officers who are responsible for the overall direction of the companies, the sales shall be aggregated. This provision acknowledges that common corporate officers constitute common control of the involved firms and is consistent with EPA's intent that sales of firms with

significant managerial links be aggregated. These regulation revisions are being finalized today to preclude possible misunderstanding of EPA's intent and application of aggregation criteria for small volume certification.

Some commenters to the NPRM are apparently concerned that EPA's proposal in the aggregation criteria will alter the Agency's current aggregation policy. However, the first provision of the proposal merely clarifies the current EPA interpretation of the aggregation criteria and should preclude possible misunderstandings. The second and third provisions are logical extensions of EPA's current intent and practice. These are potential cases that have not arisen to date, and thus do not represent a change to current aggregation practice; but, in fact, represent clearer guidance on how EPA will view such situations if and when they occur. GM commented that EPA should acknowledge in the final rule its established policy concerning the implementation of certification procedures for small-volume engine families as described in Advisory Circular No. 51C. EPA believes that this guidance is helpful to the manufacturers and has incorporated it into the final rule. Today's final rule does not change the Agency's current policy on the distribution and number of units that can be certified under the small-volume certification procedures by those manufacturers in the aggregated relationship.

Chrysler commented that the manner in which aggregated sales are determined by the notice is completely different from the way they are currently handled. Chrysler contended that the aggregated sales applies only to the manufacturer who owns a 10 percent or more interest in another manufacturer, not to all manufacturers in the agreement. Therefore, according to Chrysler, the remaining manufacturer(s) in the agreement does not have to include the sales of the owner in determining whether or not they meet the requirements of small-volume manufacturer status. However, Chrysler is not presenting an accurate assessment of EPA's current policy. EPA has always considered that each of the manufacturers involved in a multiple ownership agreement must consider the total combined sales of the involved parties for purposes of certifying. This does not represent a change in EPA's current policy on the aggregation criteria. The revised language of the regulation makes this clear. For example, assume that a large volume manufacturer purchases 15 percent of a small-volume manufacturer. Since the

large manufacturer owns greater than 10 percent of the small manufacturer, the small-volume manufacturer is no longer able to certify using the small-volume manufacturer rules. Each company may, however, certify any engine family (or combination of engine families) of less than 10,000 vehicles under the small-volume engine family certification procedures.

Chrysler, Ford, and Olson expressed concern that some small-volume manufacturer may be denied or considered not eligible to certify under the small-volume manufacturer certification procedure because a larger manufacturer (e.g., Chrysler, Ford, etc.) owns ten percent or more of the small-volume manufacturer. It is true that the small-volume manufacturer, with total annual sales not exceeding 300 units that is purchased in part (i.e., greater than 10 percent) by a large volume manufacturer could no longer use EPA assigned d.f.'s. However, the small manufacturer retains the right to certify up to and including 9,999 units under the small-volume engine family certification procedures. Likewise, the small-volume manufacturer with total sales between 300 and 10,000 units per year that is purchased in part (i.e., 10 percent or more) by a large volume manufacturer, while thereafter identified as a large volume manufacturer, retains its right to certify up to and including 9,999 units under the small-volume engine family provisions. Under these procedures, for example, EPA has certified a number of engine families that are manufactured by companies that do not qualify for small-volume manufacturer status.

Chrysler, Ford and Olson indicated that 10 percent ownership of a company does not constitute control. Ford also stated that 10 percent ownership by a third party does not constitute control. EPA established the 10 percent criterion in the 1981 small-volume rule which established the optional small-volume manufacturers certification procedures. The 10 percent criterion assured that the administrative and cost burdens associated with certification were reduced for independent small-volume manufacturers. The NPRM for today's rulemaking did not propose revising the criteria, only clarifying that both parties (the 10 percent owner and the company that is 10 percent owned) are to be considered aggregated when determining eligibility for small-volume manufacturer certification rules. EPA believes this clarification is appropriate and consistent with the original 1981 regulations which were designed to stop the inappropriate use of the small-volume manufacturer certification

procedures by manufacturers that are not independent. The clarification reasonably establishes a financial business link wherein each party could benefit from the other. No change in this criterion is appropriate based on the comments.

Ford commented that requiring aggregation of firms that share common corporate officer(s) is unworkable. For the purpose of defining which companies qualify for the optional small-volume manufacturer certification procedure, EPA believes that the common corporate officer(s) aggregation criterion adopted in this final rule is appropriate. This criterion would preclude approval for small-volume certification to an individual or company that, for example, establishes a number of small companies, each with annual sales less than 300, but with common corporate officers overseeing actual aggregated sales of over 300, in order to avoid any durability testing and in order to receive EPA assigned d.f.'s. Corporate officer information is reasonably available to the public and is appropriately used here to deter abuse of the small volume certification program.

F. Emission-Data Vehicle (EDV) Mileage Requirements

In this final rule, EPA is adopting the proposal to require all manufacturers to accumulate a minimum of 2,000 miles on EDV's (62 hours for catalyst-equipped heavy-duty engines) before certification testing.

The current certification procedures allow each manufacturer to determine the minimum amount of mileage accumulation required to stabilize the vehicle's emission performance. EPA proposed the minimum mileage accumulation to ensure that, in the future, the manufacturer does not choose to accumulate an inappropriately low mileage on EDV's. Due to a higher rate of catalyst efficiency loss during the early mileage operation of a new vehicle, testing that vehicle at an extremely low mileage could result in inappropriately low emission test results compared to a stabilized vehicle. By requiring a minimum mileage requirement before testing, EPA has greater assurance that the emission control system (including the catalyst system) has stabilized, thus allowing the manufacturer to properly project full useful life emissions from the low mileage test results.

The two commenters that addressed this proposal support it. Olson commented that Maserati has voluntarily adopted this practice for

several model years. As a result it represents no significant change in burden to Maserati. GM agreed with the proposal as stated in the NPRM. EPA is promulgating the minimum mileage/hours service accumulation as proposed in the NPRM.

G. Reduction in the Number of Required Emission-Data Vehicles

The current certification regulations require two EDV's for engine families certified under the small-volume engine family provisions by manufacturers whose annual sales exceed 10,000 units per year. In contrast, small-volume manufacturers are only required to complete one EDV per engine family. In today's final rule, EPA is adopting the proposal to reduce to one the number of EDV's required for engine families certified by larger manufacturers under the small-volume engine family certification regulations. For example, manufacturers previously certified under the small-engine family certification procedures will now only need to complete one EDV under this revision.

GM supported the proposed reduction in the number of EDV's required for engine families certified using assigned d.f.'s (systems exempted from using durability vehicles). No commenter opposed this proposal.

H. Worst Case Emission Data Vehicle Selection Criteria

In this final rule, EPA is adopting the proposal to standardize the worst-case EDV selection criteria. Previously, the small-volume manufacturer EDV selection criteria differed slightly from the EDV selection criteria applicable to larger manufacturers (e.g., heaviest (including options) vehicle weight versus heaviest equivalent test weight (including options, etc.). Standardization of the EDV selection criteria will reduce any confusion for the larger manufacturers certifying under the small-volume manufacturer certification procedures. In addition, the small-volume manufacturer should not be impacted by the change due to the limited number of vehicles in the manufacturer's product line. No comments were received on the proposed regulation language. That language is adopted as proposed in this final rule.

I. Other Comments

1. Olson recommended in its testimony at the public hearing and in its written comments to the public docket that EPA establish separate certification procedures for new manufacturers, both Independent Commercial Importers and original

equipment manufacturers, entering the certification process. The new manufacturers would be subject to the separate procedure for 5 years. Olson did not detail the nature of these separate certification procedures or how they would differ from the already established programs or the proposed revisions, but contended that the separate certification procedure would allow EPA to focus its attention on those new manufacturers.

EPA considered establishing separate certification procedures for new manufacturers during the early stages of development of the NPRM. However, EPA found no technical or legal basis for treating new manufacturers differently than any other manufacturer completing the certification process. Therefore, EPA did not propose separate certification procedures for new manufacturers. Despite EPA's request at the public hearing, Olson did not supply technical or legal justification to support its request. For these reasons EPA rejects Olson's recommendation.

2. Cummins recommended that EPA publish the EPA assigned d.f.'s at least 18 months before new emission standards (emission standards that force new technology) become effective. Cummins contends that the 18 months is necessary to allow manufacturers using EPA assigned d.f.'s to complete engine development and the certification process in a cost effective manner. Further, Cummins recommended that the d.f.'s remain in effect for the duration of the emission standards.

New emission standards that require new emission control technology occur very seldom. However, EPA realizes that in those cases it is important that manufacturers have sufficient lead time to develop the new technology. When necessary EPA has provided new technology assigned d.f.'s in a timely manner. When new, technology-forcing standards are adopted, EPA includes sufficient leadtime between promulgation and implementation to reasonably allow for product development and successful completion of the certification program. Also in a rulemaking establishing technology-forcing standards, EPA assesses the expected deterioration performance of the new technology. Since EPA relies on these rulemaking assessments for its assigned d.f.'s, manufacturers have ample notice of the d.f.'s. Nevertheless, in the future EPA plans to make clear in the rulemakings adopting technology-forcing standards the assigned d.f.'s which eligible manufacturers may use. This will continue to assure maximum leadtime in manufacturer notification.

In considering Cummins' proposal not to allow the EPA assigned d.f.'s to change over time, EPA concluded this would unnecessarily constrain the d.f.'s from being as up to date and representative as possible. EPA periodically assesses the representativeness of its assigned d.f.'s by evaluating actual durability information. If the assigned d.f.'s are not representative, EPA revises its assigned d.f.'s. EPA believes it would be inappropriate to leave in effect assigned d.f.'s that were developed based on an outdated technology assessment when the actual deterioration produced by vehicles or engines equipped with the technology produces different, either higher or lower, deterioration.

III. Regulatory Flexibility

The Regulatory Flexibility Act of 1980 requires federal agencies to identify potentially adverse impacts of federal regulations upon small entities. In instances where significant impacts are possible on a substantial number of these entities, agencies are required to perform a Regulatory Flexibility Analysis (RFA). EPA has determined that the certification revisions being finalized today will not have a significant impact on a substantial number of small-volume manufacturers.

EPA analyzed the potential impact of the durability requirements associated with the use of unproven emission control or fuel metering systems on the small-volume manufacturer prior to publishing the NPRM. At that time EPA estimated that less than 15 percent of the small-volume manufacturers may choose to use unproven emission control or fuel metering systems in the initial year these regulations are in effect. Once these unproven systems are initially evaluated, subsequent model years should see significantly fewer unproven systems certified. Therefore, this low incidence should not represent a significant number of small entities. Furthermore, EPA estimated that for those designs certified with unproven systems, the additional costs due to durability demonstration should not exceed 3 percent of the purchase price of an average vehicle for the initial model year. The durability requirements being finalized today are essentially the same as those proposed in the NPRM with one exception. Based on the comments received EPA has elected to include components that have been shown to be durable using appropriate road or bench testing procedures in the definition of proven components. The addition of alternative road or bench testing procedures as a method of

satisfying durability requirements may allow the manufacturer to use less costly durability demonstration procedures.

Therefore, based on the above discussion, the certification regulation revisions promulgated herein should not have a significant impact on a substantial number of small entities.

IV. Administrative Designation and Economic Impact

Section 3(b) of Executive Order 12291 requires EPA to determine whether a rule it intends to propose or to issue is a major rule and to prepare Regulatory Impact Analyses (RIA's) for all major rules. EPA has determined that this action is not a "major rule" requiring preparation of an RIA since it will not have an annual effect on the economy of \$100 million or more. Furthermore, it will not result in a major increase in industry costs or prices. Finally, this action will not have a significant adverse effect on industry, competition, employment, investment, productivity, innovation or the ability of domestic businesses to compete with vehicles produced by foreign companies since small-volume manufacturers are a small portion (less than one percent) of the total number of vehicles sold in the United States. Thus an RIA has not been prepared. Potential economic effects are addressed in an economic impact analysis (document

number II-B-3 in Public Docket A-85-30) which was prepared in accordance with RIA requirements.

V. OMB Review

This action was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291. Any written comments from OMB to EPA and any EPA written response to those comments are available for public inspection at Public Docket A-85-30 located in EPA's Central Docket Section (LE-131A), 401 M Street SW., Washington, DC 20460.

VI. Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and have been assigned OMB control number 2060-0104.

Public reporting burden resulting from this rulemaking is estimated to be 360 hours per response (on average), including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this

collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

VII. Judicial Review

The final actions described in this notice are made under the authority of sections 202, 203, 206, 207, 208, 215 and 301(a) of the Clean Air Act and are nationally applicable. Under section 307(b)(1) of the Clean Air Act, judicial review may be sought only in the United States Court of Appeals for the District of Columbia.

Petitions for judicial review must be filed on or before April 30, 1990. Judicial review may not be obtained in subsequent enforcement proceedings.

VIII. List of Subjects in 40 CFR Part 86

Administrative practice and procedure, Air pollution control, Gasolines, Motor vehicles, Labeling, Motor vehicle pollution, Reporting and recordkeeping requirements.

Dated: February 3, 1990.
William K. Reilly,
Administrator.

APPENDIX—EXPLANATION OF SPECIFIC CHANGES

Section	Change	Reason
1. Part 86, Authority	None	To implement the following changes for the 1992 model year. First year regulations are applicable.
2. Add new § 86.092-1:		
(a)	Revise language to specify year of applicability	Do.
(b)	do	To include all vehicle or engine categories in manufacturer's combined total sales.
(e)	Revise language to include heavy-duty vehicles and vehicles or engines imported under 40 CFR 85.1505 and 40 CFR 85.1509.	To include definitions of proven and unproven emission control systems and conveniently available.
3. Add new § 86.092-2:		
4. Add new § 86.092-14:		
(b)(1)	Revise language to include heavy-duty vehicles and all vehicles or engines imported under 40 CFR 85.1505 and 40 CFR 85.1509.	To include all vehicles or engines in manufacturer's combined total sales.
(b)(2)	Revise language to specify aggregated relationships.	To define all relationships which cause manufacturer's sales to be combined with another manufacturer's.
(b)(2)(i)	Added language specifying relationships which will result in aggregation	Do.
(b)(2)(ii)	do	Do.
(b)(2)(iii)	do	Do.
(b)(2)(iv)	do	Do.
(b)(3)	Add language specifying certification procedures for aggregated relationships with total sales less than 301 units.	To define certification procedures for aggregated relationships.
(b)(4)	Add language specifying certification procedure for aggregated relationships with total sales of 301-9,999 units.	Do.
(b)(5)	Add language specifying certification procedure for aggregated relationships with total sales equal to or greater than 10,000 units.	Do.
(b)(4)(i)	do	Do.
(b)(4)(ii)	do	Do.
(b)(4)(iii)	do	Do.
(c)(7)(i)(A)	Revised language to specify one emission-data test vehicle (engine) per engine family	Clarification.
(c)(7)(i)(A)(1)	Revised language defining worst-case vehicle selection criteria	To be consistent with criteria contained in § 86.092-24(b).
(c)(7)(i)(A)(2)	Revised language defining worst-case engine selection criteria	Do.
(c)(7)(i)(B)	Revised language to include minimum service accumulation distance or time	To include new requirement of minimum service accumulation.
(c)(7)(i)(C)	Revised language to identify new requirements	To include new durability requirements.
(c)(7)(i)(C)(1)	Add language to define durability requirements for manufacturers with aggregated total sales less than 301 units per year and to define assigned deterioration factors provided by the Administrator.	To include new durability requirements and define assigned deterioration factors.
(c)(7)(i)(C)(2)	Add language to define durability requirements for manufacturers with aggregated total sales of 301 through 9,999 units per year certifying light-duty vehicles equipped with proven emission control systems.	To include new durability requirements.
(c)(7)(i)(C)(2)(i)	Add language to define calculation of manufacturer-determined assigned deterioration factors	Do.
(c)(7)(i)(C)(2)(i)	Add language to define exhaust emissions durability requirements for manufacturers with aggregated total sales of 301 through 9,999 per year certifying light-duty vehicles equipped with unproven emission control systems.	Do.
(c)(7)(i)(C)(4)	Add language to define durability requirements for light-duty vehicles, light-duty trucks, and heavy-duty vehicle evaporative emission and light-duty truck and heavy-duty engine exhaust emissions.	Do.
(c)(8)	Revised language to clarify maintenance requirements for durability-data vehicles or engines and maintenance instructions provided to vehicle or engine purchaser.	Clarification to make consistent § 86.090-25.
(c)(9)(i)	Redesignation of (c)(9) and added language to make section 26 of this subpart applicable	To incorporate mileage and service accumulation requirements.
(c)(9)(ii)	Added to continue nonapplicability of Section 27 of this subpart	Added due to redesignation of (c)(9).
(c)(11)(i)(B)(1)	Added evaporative emission family name	Clarification.
(c)(11)(i)(B)(2)	Added the word "carline."	Clarification.
(c)(11)(i)(B)(7)	Added the words "surface area" and "total precious metal loading."	Clarification.
(c)(11)(i)(B)(7)	Added language requiring submission of proof of insurance coverage required by 40 CFR 85.1510(b), if applicable.	New Requirement.
(c)(11)(i)(B)(18)	Added language requiring statement concerning maintenance facilities and emission and emission related service parts.	To include new requirement.
(c)(11)(i)(D)(7)	Added language requiring submission of information on manufacturer determined deterioration factors.	To include new requirement.
(c)(11)(i)(E)	Added language requiring submission of information on manufacturer determined deterioration factors.	To include new requirement.
5. Add new § 86.092-24:		
(e)(1)	Deleted contents and reserve subparagraph	To implement the following changes for 1992 model year.
(e)(2)	Revised language to reference § 86.092-14	No longer required, requirements included in subparagraph (e)(2)
6. Add new § 86.092-26:		
		To include new durability and emission-data test vehicle requirements consistent with § 86.092-14
		To implement the following changes for the 1992 model year.

APPENDIX—EXPLANATION OF SPECIFIC CHANGES—Continued

Section	Change	Reason
(a)(3)(i)(A).....	Add language to include minimum mileage requirements, and recording and reporting of vehicle mileage.	New requirement.
(a)(3)(i)(B).....	do	Do.
(a)(3)(i)(C).....	do	Do.
(a)(3)(ii)(A).....	do	Do.
(a)(3)(ii)(B).....	do	Do.
(a)(3)(ii)(C).....	do	Do.
(b)(4)(i)(A).....	do	Do.
(b)(4)(i)(B).....	do	Do.
(b)(4)(i)(C).....	do	Do.
(b)(4)(ii)(A).....	do	Do.
(b)(4)(ii)(B).....	do	Do.
(b)(4)(ii)(C).....	do	Do.
(c)(4).....	Add language specifying minimum service accumulation time for engines equipped with catalyst.	Do.
7. Add new § 86.092-35:		
(a)(1)(iii)(i).....	Add language to identify new requirement.	To implement the following changes in the 1992 model year.
(a)(1)(iii)(j).....	do	To include requirement for vacuum hose routing diagram.
(a)(2)(iii)(L).....	do	To include labeling requirement specified in 40 CFR 85.1510.
(a)(3)(iii)(M).....	do	To include requirement for vacuum hose routing diagram.
(a)(3)(iii)(N).....	do	To include labeling requirement specified in 40 CFR 85.1510.
(a)(4)(iii)(F).....	do	To include labeling requirement specified in 40 CFR 85.1510.

For the reasons set forth in the preamble, 40 CFR part 86 is amended as follows.

PART 86—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES

1. The authority citation for part 86 continues to read as follows:

Authority: Secs. 202, 203, 206, 207, 208, 215, and 301(a), Clean Air Act, as amended; 42 U.S.C. 7521, 7522, 7524, 7525, 7541, 7542, 7549, 7550, and 7601(a).

2. A new § 86.092-1, which is identical to § 86.090-1, except for revisions to paragraphs (a), (d), and (e), is added to read as follows:

§ 86.092-1 General applicability.

(a) The provisions of this subpart apply to 1992 and later model year new Otto-cycle and diesel light-duty vehicles, 1992 and later model year new Otto-cycle and diesel light-duty trucks, and 1992 and later model year new Otto-cycle and diesel heavy-duty engines.

(b) *Optional applicability.* A manufacturer may request to certify any heavy-duty vehicle of 10,000 pounds Gross Vehicle Weight Rating or less in accordance with the light-duty truck provisions. Heavy-duty engine or vehicle provisions do not apply to such a vehicle.

(c) [Reserved]

(d) *Alternative Durability Program.* For 1992 and later model year light-duty vehicles and light-duty trucks, a manufacturer may elect to participate in the Alternative Durability Program. This optional program provides an alternative method of determining exhaust emission control system durability.

The general procedures and a description of the programs are contained in § 86.085-13 and specific provisions on test vehicles and compliance procedures are contained in § 86.092-24 and § 86.091-28 respectively.

(e) *Small volume manufacturers.* Special certification procedures are available for any manufacturer whose projected combined U.S. sales of light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines in its product line (including all vehicles and engines imported under the provisions of 40 CFR 85.1505 and 40 CFR 85.1509) are fewer than 10,000 units for the model year in which the manufacturer seeks certification. To certify its product line under these optional procedures, the small-volume manufacturer must first obtain the Administrator's approval. The

manufacturer must meet the eligibility criteria specified in § 86.092-14(b) before the Administrator's approval will be granted. The small-volume manufacturer's certification procedures are described in § 86.092-14.

(f) *Optional procedures for determining exhaust opacity.* (1) The provisions of subpart I apply to tests which are performed by the Administrator, and optionally, by the manufacturer.

(2) Measurement procedures, other than that described in subpart I, may be used by the manufacturer provided the manufacturer satisfies the requirements of § 86.091-23(f).

(3) When a manufacturer chooses to use an alternative measurement procedure it has the responsibility to determine whether the results obtained by the procedure will correlate with the results which would be obtained from the measurement procedure in subpart I. Consequently, the Administrator will not routinely approve or disapprove any alternative opacity measurement procedure or any associated correlation data which the manufacturer elects to use to satisfy the data requirements for subpart I.

(4) If a confirmatory test(s) is performed and the results indicate there is a systematic problem suggesting that the data generated under an optional alternative measurement procedure do not adequately correlate with subpart I data, EPA may require that all certificates of conformity not already issued be based on data from subpart I procedures.

3. A new § 86.092-2 is added, to read as follows:

§ 86.092-2 Definitions.

The definitions of § 86.091-2 remain effective. The definitions listed in this section apply beginning with the 1992 model year.

(a) *Proven emission control systems* are emission control components or systems (and fuel metering systems) that have completed full durability testing evaluation over a vehicle's useful life in some other certified engine family, or have completed bench or road testing demonstrated to be equal or more severe than certification mileage accumulation requirements.

Alternatively, proven components or systems are those that are determined by EPA to be of comparable functional quality and manufactured using comparable materials and production techniques as components or systems which have been durability demonstrated in some other certified engine family. In addition, the components or systems must be

employed in an operating environment (e.g., temperature, exhaust flow, etc.) similar to that experienced by the original or comparable components or systems in the original certified engine family.

(b) *Unproven emission control systems* are emission control components or systems (and fuel metering systems) that do not qualify as proven emission control systems.

(c) *Similar systems* are engine, fuel metering and emission control system combinations which use the same fuel (e.g., gasoline, diesel, etc.), combustion cycle (i.e., two or four stroke), general type of fuel system (i.e., carburetor or fuel injection), catalyst system (e.g., none, oxidation, three-way plus oxidation, three-way only, etc.), fuel control system (i.e., feedback or non-feedback), secondary air system (i.e., equipped or not equipped) and EGR (i.e., equipped or not equipped).

(d) *Conveniently available service facility and spare parts* for small-volume manufacturers means that the vehicle manufacturer has a qualified service facility at or near the authorized point of sale or delivery of its vehicles and maintains an inventory of all emission-related spare parts or has made arrangements for the part manufacturers to supply the parts by expedited shipment (e.g., utilizing overnight express delivery service, UPS, etc.).

4. A new § 86.092-14 is added to read as follows:

§ 86.092-14 Small-volume manufacturers certification procedures.

(a) The small-volume manufacturers certification procedures described in paragraphs (b) and (c) of this section are optional. Small-volume manufacturers may use these optional procedures to demonstrate compliance with the general standards and specific emission requirements contained in this subpart.

(b)(1) The optional small-volume manufacturers certification procedures apply to light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines produced by manufacturers with U.S. sales, including all vehicles and engines imported under the provisions of 40 CFR 85.1505 and 40 CFR 85.1509 (for the model year in which certification is sought) of fewer than 10,000 units (Light-Duty Vehicles, Light-Duty Trucks, Heavy-Duty Vehicles and Heavy-Duty Engines combined).

(2) For the purpose of determining the applicability of paragraph (b)(1) of this section, the sales the Administrator shall use shall be the aggregate of the projected or actual sales of those vehicles and/or engines in any of the

groupings identified below in this subparagraph.

(i) Vehicles and/or engines produced by two or more firms, one of which is 10 percent or greater part owned by another;

(ii) Vehicles and/or engines produced by any two or more firms if a third party has equity ownership of 10 percent or more in each of the firms;

(iii) Vehicles and/or engines produced by two or more firms having a common corporate officer(s) who is(are) responsible for the overall direction of the companies;

(iv) Vehicles and/or engines imported or distributed by all firms where the vehicles and/or engines are manufactured by the same entity and the importer or distributor is an authorized agent of the entity.

(3) If the aggregated sales, as determined in paragraph (b)(2) of this section are less than 301 units, the manufacturers in the aggregated relationship may certify under the provisions in this section that apply to manufacturers with sales of less than 301 units.

(4) If the aggregated sales, as determined in paragraph (b)(2) of this section are greater than 300 but fewer than 10,000 units, the manufacturers in the aggregated relationship may certify under the provisions in this section that apply to manufacturers with sales from and including 301 through 9,999 motor vehicles and motor vehicles engines per year.

(5) If the aggregated sales, as determined in paragraph (b)(2) of this section are equal to or greater than 10,000 units, then the manufacturers involved in the aggregated relationship will be allowed to certify a number of units under the small-volume engine family certification procedures (40 CFR 86.092-24(e)) in accordance with the criteria identified below in this subparagraph.

(i) If a manufacturer purchases less than 50 percent of another manufacturer, each manufacturer retains its right to certify 9,999 units using the small-volume engine family certification procedures.

(ii) If a manufacturer purchases 50 percent or more of another manufacturer, the manufacturer with the over 50 percent interest must share, with the manufacturer it purchased, its 9,999 units under the small-volume engine family certification procedures.

(iii) In a joint venture arrangement (50/50 ownership) between two manufacturers, each manufacturer retains its eligibility for 9,999 units under the small-volume engine family certification procedures, but the joint

venture must draw its maximum 9,999 units from the units allocated to its parent manufacturers.

(c) Small-volume manufacturers shall demonstrate compliance with the applicable sections of this subpart. The appropriate model year of the following applicable sections shall be determined in accordance with § 86.084-4:

(1) Sections 86.092-1, 86.092-2, 86.090-3, 86.084-4, 86.090-5, 86.078-6, 86.078-7, and 86.090-8 through 86.090-11 of this subpart are applicable.

(2) Sections 86.080-12 of this subpart is not applicable.

(3) Section 86.085-13, 86.092-14, 86.084-15, and 86.085-20 of this subpart are applicable.

(4) Small-volume manufacturers shall include in their records all of the information that EPA requires in § 86.090-21 of this subpart. This information will be considered part of the manufacturer's application for certification. However, the manufacturer is not required to submit the information to the Administrator unless the Administrator requests it.

(5) Section 86.085-22 of this subpart is applicable except as noted below.

(i) Small-volume light-duty vehicle and light-duty truck manufacturers may satisfy the requirements of paragraph (e) of § 86.085-22 by including a statement of compliance on adjustable parameters in the application for certification. In the statement of compliance the manufacturer shall state that the limits, stops, seals, or other means used to inhibit adjustment have been designed to accomplish their intended purpose based on good engineering practice and past experience. If the vehicle parameter is adjustable the vehicle must meet emission standards with the parameter set any place within the adjustable range (Reference § 86.090-21 of this subpart).

(6) Section 86.090-23 of this subpart is applicable.

(7) Section 86.092-24 of this subpart is applicable except as noted below.

(i) Small-volume manufacturers may satisfy the requirements of paragraph (b) and (c) of § 86.092-24 of this subpart by:

(A) *Emission-data*—Selecting one emission-data test vehicle (engine) per engine family by the worst-case emissions criteria as follows:

(1) *Light-duty vehicles and light-duty trucks*. The manufacturer shall select the vehicle with the heaviest equivalent test weight (including options) within the engine family. Then within that vehicle the manufacturer shall select, in the order listed, the highest road load power, largest displacement, the transmission with the highest numerical

final gear ratio (including overdrive), the highest numerical axle ratio offered in the engine family, and the maximum fuel flow calibration.

(2) *Heavy-duty Otto-cycle engines*. The manufacturer shall select one emission-data engine first based on the largest displacement within the engine family. Then within the largest displacement the manufacturer shall select, in the order listed, highest fuel flow at the speed of maximum rated torque, the engine with the most advanced spark timing, no EGR or lowest EGR flow, and no air pump or lowest actual flow air pump.

(3) *Heavy-duty diesel engines*. The manufacturer shall select one emission-data engine based on the highest fuel feed per stroke, primarily at the speed of maximum rated torque and secondarily at rated speed.

(B) Testing light-duty vehicles or light-duty truck emission-data vehicles at any service accumulation distance of at least 2,000 miles (3,219 kilometers) or, catalyst equipped heavy-duty emission-data engines at any service accumulation time of at least 62 hours, or non-catalyst equipped heavy-duty engine emission-data engines at any service accumulation time determined by the manufacturer to result in stabilized emissions. The emission performance of the emission-data vehicle or engine must be stabilized prior to emission testing.

(C) *Durability data*—Satisfying the durability-data requirements by complying with the applicable procedures below:

(1) Manufacturers with aggregated sales of less than 301 motor vehicles and motor vehicle engines per year may use assigned deterioration factors that the Administrator determines and prescribes. The factors will be the Administrator's estimate, periodically updated and published in an advisory letter or advisory circular, of the 70th percentile deterioration factors calculated using the industrywide data base of previously completed durability-data vehicles or engines used for certification. However, the manufacturer may, at its option, accumulate miles (hours) on a durability-data vehicle (engine) and complete emission tests for the purpose of establishing its own deterioration factors.

(2) Manufacturers with aggregated sales from and including 301 through 9,999 motor vehicles and motor vehicle engines per year certifying light-duty vehicle exhaust emissions from vehicles equipped with proven emission control systems shall use assigned deterioration factors that the manufacturer determines based on its good

engineering judgment. However, the manufacturer may not use deterioration factors less than either the average or 70th percentile of all of that manufacturer's deterioration factor data, whichever is less. These minimum deterioration factors shall be calculated according to procedures in paragraph (c)(7)(i)(C)(2)(i), of this section. If the manufacturer does not have at least two data points to calculate these manufacturer specific average deterioration factors, then the deterioration factors shall be no less than the EPA supplied industrywide deterioration factors. However, the manufacturer may, at its option, accumulate miles on a durability-data vehicle and complete emission tests for the purpose of establishing its own deterioration factors.

(i) The manufacturer's minimum deterioration factors shall be calculated using the deterioration factors from all engine families, within the same vehicle/engine-fuel usage category (e.g., gasoline-fueled light-duty vehicle, etc.) previously certified to the same emission standards. The manufacturer shall use only deterioration factors engine families previously certified by the manufacturer and the deterioration factors shall not be included in the calculation more than once. The deterioration factors for each pollutant shall be calculated separately. The manufacturer may, at its option, limit the deterioration factors used in the calculation of the manufacturer's minimum deterioration factors to those from all similar systems to the system being certified if sufficient data (i.e., from at least two certified systems) exists. All data eligible to be grouped as similar system data shall be used in calculating similar system deterioration factors. Any deterioration factors used in calculating similar system deterioration factors shall not be included in calculating the manufacturer's minimum deterioration factors used to certify any of the manufacturer's remaining vehicle systems.

(3) Manufacturers with aggregated sales from 301 through 9,999 motor vehicles and motor vehicle engines and certifying light-duty vehicle exhaust emissions from vehicles equipped with unproven emission control systems shall use deterioration factors that the manufacturer determines from official certification durability data generated by vehicles from engine families representing a minimum of 25 percent of the manufacturer's sales equipped with unproven emission control systems. The sales projections are to be based on

total sales projected for each engine/system combination. The durability-data vehicle (engine) mileage accumulation and emission tests are to be conducted according to § 86.092-26 of this subpart. The manufacturer must develop deterioration factors by generating durability data in accordance with § 86.092-26 of this subpart on a minimum of 25 percent of the manufacturer's projected sales (by engine/system combination) that is equipped with unproven emission control systems. The manufacturer must complete the 25 percent durability requirement before the remainder of the manufacturer's sales equipped with unproven emission control systems is certified using manufacturer-determined assigned deterioration factors. Alternatively, any of these manufacturers may, at their option, accumulate miles on durability-data vehicles and complete emission tests for the purpose of establishing their own deterioration factors on the remaining sales.

(4) For light-duty vehicle, light-duty truck, and heavy-duty vehicle evaporative emissions and light-duty truck, and heavy-duty engine exhaust emissions, deterioration factors shall be determined in accordance with § 86.092-24 of this subpart.

(ii) Paragraphs (d) and (e) of § 86.092-24 of this subpart are not applicable.

(8) Section 86.090-25 of this subpart is applicable to maintenance performed on durability-data light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines when the manufacturer completes durability-data vehicles or engines; section 86.087-38 of this subpart is applicable to the recommended maintenance the manufacturer includes in the maintenance instructions furnished the purchasers of new motor vehicles and new motor vehicle engines under § 86.087-38 of this subpart.

(9)(i) Section 86.092-26 of this subpart is applicable if the manufacturer completes durability-data vehicles or engines.

(ii) Section 86.085-27 of this subpart is applicable.

(10) Sections 86.090-28 and 86.090-29 of this subpart are applicable.

(11)(i) Section 86.090-30 of this subpart is applicable, except for paragraph (a)(2) and (b) of that section. In the place of these paragraphs, small-volume manufacturer shall comply with paragraphs (c)(11)(ii) through (v) of this section, as shown below.

(ii) Small-volume manufacturers shall submit an application for certification containing the following:

(A) The names, addresses, and telephone numbers of the persons the manufacturer authorizes to communicate with us.

(B) A brief description of the vehicles (or engines) covered by the certificate (the manufacturers' sales data book or advertising, including specifications, may satisfy this requirement for most manufacturers). The description shall include, as a minimum, the following items as applicable:

(1) Engine evaporative family names and vehicle (or engine) configurations.

(2) Vehicle carlines or engine models to be listed on the certificate of conformity.

(3) The test weight and horsepower setting for each vehicle or engine configuration.

(4) Projected sales.

(5) Combustion cycle.

(6) Cooling mechanism.

(7) Number of cylinders.

(8) Displacement.

(9) Fuel system type.

(10) Number of catalytic converters, type, volume, composition, surface area, and total precious metal loading.

(11) Method of air aspiration.

(12) Thermal reactor characteristics.

(13) Suppliers' and/or manufacturers' name and model number of any emission related items of the above, if purchased from a supplier who uses the items in its own certified vehicles(s) or engine(s).

(14) A list of emission component part numbers.

(15) Drawings, calibration curves, and descriptions of emission related components, including those components regulated under paragraph (e) of § 86.085-22 of this subpart, and schematics of hoses and other devices connecting these components.

(16) Vehicle adjustments or modifications necessary for light-duty trucks to assure that they conform to high-altitude standards.

(17) A description of the light-duty vehicles and light-duty trucks which are exempted from the high-altitude emission standards.

(18) Proof that the manufacturer has obtained or entered an agreement to purchase, when applicable, the insurance policy, required by § 85.1510(b). The manufacturer may submit a copy of the insurance policy or purchase agreement as proof that the manufacturer has obtained or entered an agreement to purchase the insurance policy.

(C) The results of all emission tests the manufacturer performs to demonstrate compliance with the applicable standards.

(D)(7) The following statement signed by the authorized representative of the manufacturer: "The vehicles (or engines) described herein have been tested in accordance with (list of the applicable subparts A, B, D, I, M, N, or P) of part 86, title 40, United States Code of Federal Regulations, and on the basis of those tests are in conformance with that subpart. All of the data and records required by that subpart are on file and are available for inspection by the EPA Administrator. We project the total U.S. sales of vehicles (engines) subject to this subpart (including all vehicles and engines imported under the provisions of 40 CFR 85.1505 and 40 CFR 85.1509 to be fewer than 10,000 units."

(2) A statement as required by and contained in paragraph (c)(5) of this section signed by the authorized representative of the manufacturer.

(3) A statement that the vehicles or engines described in the manufacturer's application for certification are not equipped with auxiliary emission control devices which can be classified as a defeat device as defined in § 86.092-2 of this subpart.

(4) A statement of compliance with section 206(a)(3) of the Clean Air Act.

(5) A statement that, based on the manufacturer's engineering evaluation and/or emission testing, the light-duty vehicles comply with emission standards at high altitude unless exempt under paragraph (h) of § 86.090-8 of this subpart.

(6) A statement that, based on the manufacturer's engineering evaluation and/or emission testing, the light-duty trucks sold for principle use at designated high-altitude locations comply with the high-altitude emission requirements and that all other light-duty trucks are at least capable of being modified to meet high-altitude standards unless exempt under paragraph (g)(2) of § 86.090-9 of this subpart.

(7) A statement affirming that the manufacturer will provide a list of emission and emission-related service parts, including part number designations and sources of parts, to the vehicle purchaser for all emission and emission-related parts which might affect vehicle emission performance throughout the useful life of the vehicle. Secondly, it must state that qualified service facilities and emission-related repair parts will be conveniently available to serve its vehicles. In addition, if service facilities are not available at the point of sale or distribution, the manufacturer must indicate that the vehicle purchaser will be provided information identifying the closest authorized service facility to the point of sale, if in the United States, or

the closest authorized service facility to the point of distribution to the ultimate purchaser if the vehicle was purchased outside of the United States by the ultimate purchaser. Such information should also be made available to the Administrator upon request.

(E) Manufacturers utilizing deterioration factors determined by the manufacturer based on its good engineering judgment (re: paragraph (c)(7)(i)(C)(2) of this section) shall provide a description of the method(s) used by the manufacturer to determine the deterioration factors.

(iii) If the manufacturer meets requirements of this subpart, the Administrator will issue a certificate of conformity for the vehicles or engines described in the application for certification.

(iv) The certificate will be issued for such a period not to exceed one model year as the Administrator may determine and upon such terms as he may deem necessary to assure that any vehicle or engine covered by the certificate will meet the requirements of the Act and of this subpart.

(v)(A) If, after a review of the statements and descriptions submitted by the manufacturer, the Administrator determines that the manufacturer has not met the applicable requirements, the Administrator shall notify the manufacturer in writing of his intention to deny certification, setting forth the basis for his determination. The manufacturer may request a hearing on the Administrator's determination.

(B) If the manufacturer does not request a hearing or present the required information the Administrator will deny certification.

(12) Sections 86.079-31 and 86.079-32 of this subpart are not applicable.

(13) Under § 86.079-33 of this subpart, small-volume manufacturers are covered by the following.

(i) Small-volume manufacturers may make production changes (running changes) without receiving the Administrator's prior approval. The manufacturer shall assure (by conducting emission tests as it deems necessary) that the affected vehicles (engines) remain in compliance with the requirements of this part.

(ii) The manufacturer shall notify the Administrator within seven days after implementing any production related change (running change) that would affect vehicle emissions. This notification shall include any changes to the information required under paragraph (c)(11)(ii) of this section. The manufacturer shall also amend as necessary its records required under paragraph (c)(4) of this section to

confirm with the production design change.

(14) Section 86.082-34 of this subpart is not applicable.

(15) Sections 86.092-35, 86.079-36, 86.082-37, 86.087-38 and 86.084-39 of this subpart are applicable.

(Approved by the Office of Management and Budget under the control number 2960-0104)

5. A new § 86.092-24, which is identical to § 86.090-24, except for revisions to paragraphs (e)(1) and (e)(2), is added as follows.

§ 86.092-24 Test vehicles and engines.

(a)(1) The vehicles or engines covered by an application for certification will be divided into groupings of engines which are expected to have similar emission characteristics throughout their useful life. Each group of engines with similar emission characteristics shall be defined as a separate engine family.

(2) To be classed in the same engine family, engines must be identical in all the following respects:

(i) The cylinder bore center-to-center dimensions.

(ii)-(iii) [Reserved]

(iv) The cylinder block configuration (air cooled or water cooled; L-6, 90° V-8, etc.).

(v) The location of the intake and exhaust valves (or ports).

(vi) The method of air aspiration.

(vii) The combustion cycle.

(viii) Catalytic converter characteristics.

(ix) Thermal reactor characteristics.

(x) Type of air inlet cooler (e.g., intercoolers and after-coolers) for diesel heavy-duty engines.

(3)(i) Engines identical in all the respects listed in paragraph (a)(2) of this section may be further divided into different engine families if the Administrator determines that they may be expected to have different emission characteristics. This determination will be based upon a consideration of the following features of each engine:

(A) The bore and stroke.

(B) The surface-to-volume ratio of the nominally dimensioned cylinder at the top dead center positions.

(C) The intake manifold induction port size and configuration.

(D) The exhaust manifold port size and configuration.

(E) The intake and exhaust valve sizes.

(F) The fuel system.

(G) The camshaft timing and ignition or injection timing characteristics.

(ii) Light-duty trucks and heavy-duty engines produced in different model years and distinguishable in the respects

listed in paragraph (a)(2) of this section shall be treated as belonging to a single engine family if the Administrator requires it, after determining that the engines may be expected to have similar emission deterioration characteristics.

(4) Where engines are of a type which cannot be divided into engine families based upon the criteria listed in paragraphs (a)(2) and (a)(3) of this section, the Administrator will establish families for those engines based upon those features most related to their emission characteristics. Engines that are eligible to be included in the same engine family based on the criteria in paragraphs (a)(2) and (a)(3)(i) of this section may be further divided into different engine families if the manufacturer determines that they may be expected to have different emission characteristics. This determination will be based upon a consideration of the following features of each engine:

(i) The dimension from the center line of the crankshaft to the center line of the camshaft.

(ii) The dimension from the center line of the crankshaft to the top of the cylinder block head face.

(iii) The size of the intake and exhaust valves (or ports).

(5) The gasoline-fueled and methanol-fueled light-duty vehicles and light-duty trucks covered by an application for certification will be divided into groupings which are expected to have similar evaporative emission characteristics throughout their useful life. Each group of vehicles with similar evaporative emission characteristics shall be defined as a separate evaporative emission family.

(6) For gasoline-fueled or methanol-fueled light-duty vehicles and light-duty trucks to be classified in the same evaporative emission family, vehicles must be similar with respect to:

(i) Type of vapor storage device (e.g., canister, air cleaner, crankcase).

(ii) Basic canister design.

(iii) Fuel system.

(7) Where vehicles are of a type which cannot be divided into evaporative emission families based on the criteria listed above, the Administrator will establish families for those vehicles based upon the features most related to their evaporative emission characteristics.

(8)(i) If the manufacturer elects to participate in the Alternative Durability Program, the engine families covered by an application for certification shall be grouped based upon similar engine design and emission control system characteristics. Each of these groups shall constitute a separate engine family group.

(ii) To be classed in the same engine family group, engine families must contain engines identical in all of the following respects:

(A) The combustion cycle.

(B) The cylinder block configuration (air-cooled or water-cooled; L-6, V-8, rotary, etc.).

(C) Displacement (engines of different displacement within 50 cubic inches or 15 percent of the largest displacement and contained within a multi-displacement engine family will be included in the same engine family group).

(D) Catalytic converter usage and basic type (non-catalyst, oxidation catalyst only, three-way catalyst equipped).

(9) Engine families identical in all respects listed in paragraph (a)(8) of this section may be further divided into different engine family groups if the Administrator determines that they are expected to have significantly different exhaust emission control system deterioration characteristics.

(10) A manufacturer may request the Administrator to include in an engine family group, engine families in addition to those grouped under the provisions of paragraph (a)(8) of this section. This request must be accompanied by information the manufacturer believes supports the inclusion of these additional engine families.

(11) A manufacturer may combine into a single engine family group those light-duty vehicle and light-duty truck engine families which otherwise meet the requirements of paragraph (a)(8) through (a)(10) of this section.

(12) The vehicles covered by an application for certification equipped with gasoline-fueled and methanol-fueled heavy-duty engines will be divided into groupings of vehicles on the basis of physical features which are expected to affect evaporative emissions. Each group of vehicles with similar features shall be defined as a separate evaporative emission family.

(13) For gasoline-fueled or methanol-fueled heavy-duty vehicles to be classified in the same evaporative emission family, vehicles must be identical with respect to:

(i) Method of fuel/air metering (i.e., carburetion versus fuel injection).

(ii) Carburetor bowl fuel volume, within a 10 cc range.

(14) For vehicles equipped with gasoline-fueled and methanol-fueled heavy-duty engines to be classified in the same evaporative emission control system, vehicles must be identical with respect to:

(i) Method of vapor storage.

(ii) Method of carburetor sealing.

(iii) Method of air cleaner sealing.

(iv) Vapor storage working capacity, within a 20g range.

(v) Number of storage devices.

(vi) Method of purging stored vapors.

(vii) Method of venting the carburetor during both engine off and engine operation.

(viii) Liquid fuel hose material.

(ix) Vapor storage material.

(15) Where vehicles equipped with gasoline-fueled or methanol-fueled heavy-duty engines are types which cannot be divided into evaporative emission family-control system combinations based on the criteria listed above, the Administrator will establish evaporative emission family-control system combinations for those vehicles based on features most related to their evaporative emission characteristics.

(b) *Emission data*—(1) *Emission-data vehicles*. Paragraph (b)(1) of this section applies to light-duty vehicle and light-duty truck emission-data vehicles.

(i) Vehicles will be chosen to be operated and tested for emission data based upon engine family groupings. Within each engine family, one test vehicle will be selected based on the following criteria: The Administrator shall select the vehicle with the heaviest equivalent test weight (including options) within the family. Then within that vehicle the Administrator shall select, in the order listed, the highest road-load power, largest displacement, the transmission with the highest numerical final gear ratio (including overdrive), the highest numerical axle ratio offered in that engine family, and the maximum fuel flow calibration.

(ii) The Administrator shall select one additional test vehicle from within each engine family. The vehicle selected shall be the vehicle expected to exhibit the highest emissions of those vehicles remaining in the engine family. If all vehicles within the engine family are similar the Administrator may waive the requirements of this paragraph.

(iii) Within an engine family and exhaust emission control system, the manufacturer may alter any emission-data vehicle (or other vehicles such as including current or previous model year emission-data vehicles, fuel economy data vehicles, and development vehicles provided they meet emission-data vehicles' protocol) to represent more than one selection under paragraph (b)(1) (i), (ii), (iv), or (vii) of this section.

(iv) If the vehicles selected in accordance with paragraphs (b)(1) (i) and (ii) of this section do not represent each engine-system combination, then one vehicle of each engine-system combination not represented will be

selected by the Administrator. The vehicle selected shall be the vehicle expected to exhibit the highest emissions of those vehicles remaining in the engine family.

(v) For high-altitude exhaust emission compliance for each engine family, the manufacturer shall follow one of the following procedures:

(A) The manufacturer will select for testing under high-altitude conditions the vehicle expected to exhibit the highest emissions from the nonexempt vehicles selected in accordance with paragraphs (b)(1)(ii), (iii), and (iv) of this section or.

(B) In lieu of testing vehicles according to paragraph (b)(1)(v)(A) of this section, a manufacturer may provide a statement in its application for certification that, based on the manufacturer's engineering evaluation of such high-altitude emission testing as the manufacturer deems appropriate,

(1) That all light-duty vehicles not exempt under § 86.090-8(h) comply with the emission standards at high altitude; and

(2) That light-duty trucks sold for principal use at designated high-altitude locations comply with the high-altitude emission requirements and that all light-duty trucks sold at low altitude, which are not exempt under § 86.091-9(g)(2), are capable of being modified to meet high-altitude standards.

(vi) If 90 percent or more of the engine family sales will be in California, a manufacturer may substitute emission-data vehicles selected by the California Air Resources Board criteria for the selections specified in paragraphs (b)(1)(i), (ii), and (iv) of this section.

(vii)(A) Vehicles of each evaporative emission family will be divided into evaporative emission control systems.

(B) The Administrator will select the vehicle expected to exhibit the highest evaporative emissions, from within each evaporative family to be certified, from among the vehicles represented by the exhaust emission-data selections for the engine family, unless evaporative testing has already been completed on the vehicle expected to exhibit the highest evaporative emissions for the evaporative family as part of another engine family's testing.

(C) If the vehicles selected in accordance with paragraph (b)(1)(vii)(B) of this section do not represent each evaporative emission control system then the Administrator will select the highest expected evaporative emission vehicle from within the unrepresented evaporative system.

(viii) For high-altitude evaporative emission compliance for each evaporative emission family, the

manufacturer shall follow one of the following procedures:

(A) The manufacturer will select for testing under high-altitude conditions the one nonexempt vehicle previously selected under paragraphs (b)(1)(vii) (B) or (C) of this section which is expected to have the highest level of evaporative emissions when operated at high altitude or

(B) In lieu of testing vehicles according to paragraph (b)(1)(viii)(A) of this section, a manufacturer may provide a statement in its application for certification that based on the manufacturer's engineering evaluation of such high-altitude emission testing as the manufacturer deems appropriate,

(1) That all light-duty vehicles not exempt under § 86.090-8(h) comply with the emission standards at high altitude, and

(2) That light-duty trucks sold for principal use at designated high-altitude locations comply with the high-altitude emission requirements and that all light-duty trucks sold at low altitude, which are not exempt under § 86.091-9(g)(2), are capable of being modified to meet high-altitude standards.

(ix) Vehicles selected under paragraph (b)(1)(v)(A) of this section may be used to satisfy the requirements of (b)(1)(viii)(A) of this section.

(x) *Light-duty trucks only:* (A) The manufacturer may reconfigure any of the low-altitude emission-data vehicles to represent the vehicle configuration required to be tested at high altitude.

(B) The manufacturer is not required to test the reconfigured vehicle at low altitude.

(2) *Otto-cycle heavy-duty emission-data engines.* Paragraph (b)(2) of this section applies to Otto-cycle heavy-duty engines.

(i)-(ii) [Reserved]

(iii) The Administrator shall select a maximum of two engines within each engine family based upon features indicating that they may have the highest emission levels of the engines in the engine family as follows:

(A) The Administrator shall select one emission-data engine first based on the largest displacement within the engine family. Then within the largest displacement the Administrator shall select, in the order listed, highest fuel flow at the speed of maximum rated torque, the engine with the most advanced spark timing, no EGR or lowest EGR flow, and no air pump or lowest actual flow air pump.

(B) The Administrator shall select one additional engine, from within each engine family. The engine selected shall be the engine expected to exhibit the highest emissions of those engines

remaining in the engine family. If all engines within the engine family are similar the Administrator may waive the requirements of this paragraph.

(iv) If the engines selected in accordance with paragraph (b)(2)(ii) and (iii) of this section do not represent each engine displacement-exhaust emission control system combination, then one engine of each engine displacement-exhaust emission control system combination not represented shall be selected by the Administrator.

(v) Within an engine family/displacement/control system combination, the manufacturer may alter any emission-data engine (or other engine including current or previous model year emission-data engines and development engines provided they meet the emission-data engines' protocol) to represent more than one selection under paragraph (b)(2)(iii) of this section.

(3) *Diesel heavy-duty emission-data engines.* Paragraph (b)(3) of this section applies to diesel heavy-duty emission-data vehicles.

(i) Engines will be chosen to be run for emission data based upon engine family groupings. Within each engine family, the requirements of this paragraph must be met.

(ii) Engines of each engine family will be divided into groups based upon their exhaust emission control systems. One engine of each system combination shall be run for smoke emission data and gaseous emission data. Either the complete gaseous emission test or the complete smoke test may be conducted first. Within each combination, the engine that features the highest fuel feed per stroke, primarily at the speed of maximum rated torque and secondarily at rated speed, will usually be selected. If there are military engines with higher fuel rates than other engines in the same engine system combinations, then one military engine shall also be selected. The engine with the highest fuel feed per stroke will usually be selected.

(iii) The Administrator may select a maximum of one additional engine within each engine-system combination based upon features indicating that it may have the highest emission levels of the engines of that combination. In selecting this engine, the Administrator will consider such features as the injection system, fuel system, compression ratio, rated speed, rated horsepower, peak torque speed, and peak torque.

(iv) Within an engine family control system combination, the manufacturer may alter any emission-data engine (or other engine including current or

previous model year emission-data engines and development engines provided they meet the emission-data engines' protocol) to represent more than one selection under paragraph (b)(3)(ii) and (iii) of this section.

(c) *Durability data—(1) Light-duty vehicle durability-data vehicles.* Paragraph (c)(1) of this section applies to light-duty vehicle durability-data vehicles.

(i) A durability-data vehicle will be selected by the Administrator to represent each engine-system combination. The vehicle selected shall be of the engine displacement with the largest projected sales volume of vehicles with that control-system combination in that engine family and will be designated by the Administration as to transmission type, fuel system, inertia weight class, and test weight.

(ii) A manufacturer may elect to operate and test additional vehicles to represent any engine-system combination. The additional vehicles must be of the same engine displacement, transmission type, fuel system and inertia weight class as the vehicle selected for that engine-system combination in accordance with the provisions of paragraph (c)(1)(i) of this section. Notice of an intent to operate and test additional vehicles shall be given to the Administrator no later than 30 days following notification of the test fleet selection.

(2) *Light-duty trucks.* Paragraph (c)(2) of this section applies to vehicles, engines, subsystems, or components used to establish exhaust emission deterioration factors for light-duty trucks.

(i) The manufacturer shall select the vehicles, engines, subsystems, or components to be used to determine exhaust emission deterioration factors for each engine-family control system combination. Whether vehicles, engines, subsystems, or components are used, they shall be selected so that their emissions deterioration characteristics may be expected to represent those of in-use vehicles, based on good engineering judgment.

(ii) [Reserved]

(3) *Heavy-duty engines.* Paragraph (c)(3) of this section applies to engines, subsystems, or components used to establish exhaust emission deterioration factors for heavy-duty engines.

(i) The manufacturer shall select the engines, subsystems, or components to be used to determine exhaust emission deterioration factors for each engine-family control system combination. Whether engines, subsystems, or components are used, they shall be

selected so that their emissions deterioration characteristics may be expected to represent those of in-use engines, based on good engineering judgment.

(ii) [Reserved]

(d) For purposes of testing under § 86.092-26 (a)(9) or (b)(11), the Administrator may require additional emission-data vehicles (or emission-data engines) and durability-data vehicles (light-duty vehicles only) identical in all material respects to vehicles (or engines) selected in accordance with paragraphs (b) and (c) of this section. *Provided* That the number of vehicles (or engines) selected shall not increase the size of either the emission-data fleet or the durability-data fleet by more than 20 percent or one vehicle (or engine), whichever is greater.

(e)(1) [Reserved]

(2) Any manufacturer may request to certify engine families with combined total sales of fewer than 10,000 light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines utilizing the procedures contained in § 86.092-14 of this subpart for emission-data vehicle selection and determination of deterioration factors. The deterioration factors shall be applied only to entire engine families.

(f) In lieu of testing an emission-data or durability-data vehicle (or engine) selected under paragraph (b) or (c) of this section, and submitting data therefore, a manufacturer may, with the prior written approval of the Administrator, submit exhaust emission data and/or fuel evaporative emission data, as applicable on a similar vehicle (or engine) for which certification has previously been obtained or for which all applicable data required under § 86.091-23 has previously been submitted.

(g)(1) This paragraph applies to light-duty vehicles and light-duty trucks, but does not apply to the production vehicles selected under paragraph (h) of this section.

(2)(i) Where it is expected that more than 33 percent of a carline, within an engine-system combination, may be equipped with an item (whether that item is standard equipment or an option), the full estimated weight of that item shall be included in the curb weight computation of each vehicle available with that item in that carline, within that engine-system combination.

(ii) Where it is expected that 33 percent or less of the carline, within an engine-system combination, will be equipped with an item (whether that item is standard equipment or an option), no weight for that item will be

added in computing the curb weight for any vehicle in that carline, within that engine-system combination, unless that item is standard equipment on the vehicle.

(iii) In the case of mutually exclusive options, only the weight of the heavier option will be added in computing the curb weight.

(iv) Optional equipment weighing less than three pounds per item need not be considered.

(3)(i) Where it is expected that more than 33 percent of a carline, within an engine-system combination, will be equipped with an item (whether that item is standard equipment or an option) that can reasonably be expected to influence emissions, then such items shall actually be installed (unless excluded under paragraph (g)(3)(ii) of this section) on all emission-data and durability-data vehicles of that carline, within that engine-system combination, on which the items are intended to be offered in production. Items that can reasonably be expected to influence emissions are: air conditioning, power steering, power brakes, and other items determined by the Administrator.

(ii) If the manufacturer determines by test data or engineering evaluation that the actual installation of the optional equipment required by paragraph (g)(3)(i) of this section does not affect the emissions or fuel economy values, the optional equipment need not be installed on the test vehicle.

(iii) The weight of the options shall be included in the design curb weight and also be represented in the weight of the test vehicles.

(iv) The engineering evaluation, including any test data, used to support the deletion of optional equipment from test vehicles, shall be maintained by the manufacturer and shall be made available to the Administrator upon request.

(4) Where it is expected that 33 percent or less of a carline within an engine-system combination will be equipped with an item (whether that item is standard equipment or an option) that can reasonably be expected to influence emissions, that item shall not be installed on any emission-data vehicle or durability-data vehicle of that carline, within that engine-system combination, unless that item is standard equipment on that vehicle or specifically required by the Administrator.

(h) *Alternative Durability Program durability-data vehicles.* This section applies to light-duty vehicle and light-duty truck durability-data vehicles selected under the Alternative.

Durability Program described in § 86.085-13.

(1) To update the durability data to be used to determine a deterioration factor for each engine family group, the Administrator will select durability-data vehicles from the manufacturer's production line. Production vehicles will be selected from each model year's production for those vehicles certified using the Alternative Durability Program procedures.

(i) The Administrator shall select the production durability-data vehicle designs from the designs that the manufacturer offers for sale. For each model year and for each engine family group, the Administrator may select production durability-data vehicle designs of equal number to the number of engine families within the engine family group, up to a maximum of three vehicles.

(ii) The production durability-data vehicles representing the designs selected in paragraph (h)(1)(i) of this section will be randomly selected from the manufacturer's production. The Administrator will make these random selections unless the manufacturer (with prior approval of the Administrator) elects to make the random selections.

(iii) The manufacturer may select additional production durability-data vehicle designs from within the engine family group. The production durability-data vehicles representing these designs shall be randomly selected from the manufacturer's production in accordance with paragraph (h)(1)(ii) of this section.

(iv) For each production durability-data vehicle selected under paragraph (h)(1) of this section, the manufacturer shall provide to the Administrator (before the vehicle is tested or begins service accumulation) the vehicle identification number. Before the vehicle begins service accumulation the manufacturer shall also provide the Administrator with a description of the durability-data vehicle as specified by the Administrator.

(v) In lieu of testing a production durability-data vehicle selected under paragraph (h)(1) of this section, and submitting data therefrom, a manufacturer may, with the prior written approval of the Administrator, submit exhaust emission data from a production vehicle of the same configuration for which all applicable data has previously been submitted.

(2) If, within an existing engine family group, a manufacturer requests to certify vehicles of a new design, engine family, emission control system, or with any other durability-related design difference, the Administrator will

determine if the existing engine family group deterioration factor is appropriate for the new design. If the Administrator cannot make this determination or deems the deterioration factor not appropriate, the Administrator shall select preproduction durability-data vehicles under the provisions of paragraph (c) of this section. If vehicles are then certified using the new design, the Administrator may select production vehicles with the new design under the provisions of paragraph (h)(1) of this section.

(3) If a manufacturer requests to certify vehicles of a new design that the Administrator determines are a new engine family group, the Administrator shall select preproduction durability-data vehicles under the provisions of paragraph (c) of this section. If vehicles are then certified using the new design, the Administrator may select production vehicles of that design under the provisions of paragraph (h)(1) of this section.

(Approved by the Office of Management and Budget under the control number 2060-0104)

6. A new § 86.092-26, which is identified to section 86.090-26, except for revisions to paragraph (a)(3)(i)(A), (a)(3)(i)(B), (a)(3)(i)(C), (a)(3)(ii)(A), (a)(3)(ii)(B), (a)(3)(ii)(C), (b)(4)(i)(A), (b)(4)(i)(B), (b)(4)(i)(C), (b)(4)(ii)(A), (b)(4)(ii)(B), (b)(4)(ii)(C), and (c)(4) is added as follows:

§ 86.092-26 Mileage and service accumulation; emission measurements.

(a)(1) Paragraph (a) of this section applies to light-duty vehicles.

(2) The procedure for mileage accumulation will be the Durability Driving Schedule as specified in Appendix IV to this part. A modified procedure may also be used if approved in advance by the Administrator. Except with the advance approval of the Administrator, all vehicles will accumulate mileage at a measured curb weight which is within 100 pounds of the estimated curb weight. If the loaded vehicle weight is within 100 pounds of being included in the next higher inertia weight class as specified in § 86.129, the manufacturer may elect to conduct the respect emission tests at higher loaded vehicle weight.

(3) *Emission-data vehicles.* Unless otherwise provided for in § 86.091-23(a), emission-data vehicles shall be operated and tested as follows:

(i) *Otto-cycle.* (A) The manufacturer shall determine, for each engine family, the mileage at which the engine-system combination is stabilized for emission-data testing. The manufacturer shall maintain, and provide to the

Administrator if requested, a record of the rationale used in making this determination. The manufacturer may elect to accumulate 4,000 miles on each test vehicle within an engine family without making a determination. The manufacturer must accumulate a minimum of 2,000 miles (3,219 kilometers) on each test vehicle within an engine family. All test vehicle mileage must be accurately determined, recorded, and reported to the Administrator. Any vehicle used to represent emission-data vehicle selections under § 86.092-24(b)(1) shall be equipped with an engine and emission control system that has accumulated the mileage the manufacturer chose to accumulate on the test vehicle. Fuel economy data generated from certification vehicles selected in accordance with § 86.092-24(b)(1) with engine-system combinations that have accumulated more than 10,000 kilometers (6,200 miles) shall be factored in accordance with § 600.006-87(c). Complete exhaust and evaporative (if required) emission tests shall be conducted for each emission-data vehicle selection under § 86.092-24(b)(1). The Administrator may determine under § 86.092-24(f) that no testing is required.

(B) Emission tests for emission-data vehicle(s) selected for testing under § 86.092-24(b)(1)(v) or (viii) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing under high-altitude conditions.

(C) Exhaust and evaporative emissions tests for emission-data vehicle(s) selected for testing under § 86.092-24(b)(1) (i), (ii), (iii), (iv), or (vii)(B) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing under low-altitude conditions.

(D) For each engine family, the manufacturer will either select one vehicle previously selected under § 86.092-24(b)(1) (i) through (iv) to be tested under high-altitude conditions or provide a statement in accordance with § 86.092-24(b)(1)(v). Vehicles shall meet emission standards under both low- and high-altitude conditions without manual adjustments or modifications. In addition, any emission control device used to conform with the emission standards under high-altitude conditions shall initially actuate (automatically) no higher than 4,000 feet above sea level.

(ii) *Diesel.* (A) The manufacturer shall determine, for each engine family, the mileage at which the engine-system combination is stabilized for emission-data testing. The manufacturer shall

maintain, and provide to the Administrator if requested, a record of the rationale used in making this determination. The manufacturer may elect to accumulate 4,000 miles on each test vehicle within an engine family without making a determination. The manufacturer must accumulate a minimum of 2,000 miles (3,219 kilometers) on each test vehicle within an engine family. All test vehicle mileage must be accurately determined, recorded, and reported to the Administrator. Any vehicle used to represent emission-data vehicle selections under § 86.092-24(b)(1) shall be equipped with an engine and emission control system that has accumulated the mileage the manufacturer chose to accumulate on the test vehicle. Fuel economy data generated from certification vehicles selected in accordance with § 86.092-24(b)(1) with engine-system combinations that have accumulated more than 10,000 kilometers (6,200 miles) shall be factored in accordance with § 600.006-87(c). Complete exhaust emission tests shall be conducted for each emission-data vehicle selection under § 86.092-24(b)(1). The Administrator may determine under § 86.092-24(f) that no testing is required.

(B) Emission tests for emission-data vehicle(s) selected for testing under § 86.092-24(b)(1)(v) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing under high-altitude conditions.

(C) Exhaust and evaporative emissions tests for emission-data vehicle(s) selected for testing under § 86.092-24(b)(1) (i), (ii), (iii), (iv), or (vii)(B) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing under low-altitude conditions.

(D) For each engine family, the manufacturer will either select one vehicle previously selected under § 86.092-24(b)(1) (i) through (iv) to be tested under high-altitude conditions or provide a statement in accordance with § 86.092-24(b)(1)(v). Vehicles shall meet emission standards under both low- and high-altitude conditions without manual adjustments or modifications. In addition, any emission control device used to conform with the emission standards under high-altitude conditions shall initially actuate (automatically) no higher than 4,000 feet above sea level.

(4)(i) *Durability data vehicles.* (A) Unless otherwise provided for in § 86.091-23(a), each durability-data vehicle shall be driven, with all emission control systems installed and operating, for 50,000 miles or such lesser distance

as the Administrator may agree to as meeting the objective of this procedure.

(B) Complete exhaust emission tests shall be made at test point mileage intervals that the manufacturer determines.

(C) At a minimum, two complete exhaust emission tests shall be made. The first test shall be made at a distance not greater than 6,250 miles. The last shall be made at 50,000 miles.

(D) The mileage interval between test points must be of equal length except for the interval between zero miles and the first test, and any interval before or after testing conducted in conjunction with vehicle maintenance as specified in § 86.090-25(g)(2).

(i) The manufacturer may, at its option, alter the durability-data vehicle at the selected test point to represent emission-data vehicle(s) within the same engine-system combination and perform emission tests on the altered vehicle. Upon completion of emission testing, the manufacturer may return the test vehicle to the durability-data vehicle configuration and continue mileage accumulation.

(5)(i) All tests required by this subpart on emission-data vehicles shall be conducted at a mileage equal to or greater than the mileage the manufacturer determines under paragraph (a)(3) of this section.

(ii) All tests required by this subpart on durability-data vehicles shall be conducted within 250 miles of each of the test points.

(6)(i)(A) The manufacturer may conduct multiple tests at any test point at which the data are intended to be used in the deterioration factor. At each test point where multiple tests are conducted, the test results from all valid tests shall be averaged to determine the data point to be used in the deterioration factor calculation, except under paragraph (a)(6)(i)(B) of this section. The test results from emission tests performed before maintenance affecting emissions shall not be averaged with test results after the maintenance.

(B) The manufacturer is not required to average multiple tests if the manufacturer conducts no more than three tests at each test point and if the number of tests at each test point is equal. All test points must be treated the same for all exhaust pollutants.

(ii) The results of all emission testing shall be supplied to the Administrator. The manufacturer shall furnish to the Administrator explanation for voiding any test. The Administrator will determine if voiding the test was appropriate based upon the explanation given by the manufacturer for the voided

test. Tests between test points may be conducted as required by the Administrator. Data from all tests (including voided tests) may be submitted weekly to the Administrator, but shall be air posted or delivered to the Administrator within 7 days after completion of the test. In addition, all test data shall be compiled and provided to the Administrator in accordance with § 86.091-23. Where the Administrator conducts a test on a durability-data vehicle at a prescribed test point, the results of that test will be used in the calculation of the deterioration factor.

(iii) The results of all emission tests shall be rounded, using the "Rounding Off Method" specified in ASTM E 29-67, to the number of places to the right of the decimal point indicated by expressing the applicable emission standard of this subpart to one additional significant figure.

(7) Whenever a manufacturer intends to operate and test a vehicle which may be used for emission or durability data, the manufacturer shall retain in its records all information concerning all emissions tests and maintenance, including vehicle alterations to represent other vehicle selections. For emission-data vehicles, this information shall be submitted, including the vehicle description and specification information required by the Administrator, to the Administrator following the emission-data test. For durability-data vehicles, this information shall be submitted following the 5,000-mile test.

(8) Once a manufacturer submits the information required in paragraphs (a)(7) of this section for a durability-data vehicle, the manufacturer shall continue to run the vehicle to 50,000 miles, and the data from the vehicle will be used in the calculations under § 86.091-28. Discontinuation of a durability-data vehicle shall be allowed only with the consent of the Administrator.

(9)(i) The Administrator may elect to operate and test any test vehicle during all or any part of the mileage accumulation and testing procedure. In such cases, the manufacturer shall provide the vehicle(s) to the Administrator with all information necessary to conduct this testing.

(ii) The test procedures in §§ 86.106 through 86.145 will be followed by the Administrator. The Administrator will test the vehicles at each test point. Maintenance may be performed by the manufacturer under such conditions as the Administrator may prescribe.

(iii) The data developed by the Administrator for the engine-system combination shall be combined with any

applicable data supplied by the manufacturer on other vehicles of that combination to determine the applicable deterioration factors for the combination. In the case of a significant discrepancy between data developed by the Administrator and that submitted by the manufacturer, the Administrator's data shall be used in the determination of deterioration factors.

(10) Emission testing of any type with respect to any certification vehicle other than that specified in this part is not allowed except as such testing may be specifically authorized by the Administrator.

(11) This section does not apply to testing conducted to meet the requirements of § 86.091-23(b)(2).

(b)(1) Paragraph (b) of this section applies to light-duty trucks.

(2) There are three types of mileage or service accumulation applicable to light-duty trucks:

(i) Mileage or service accumulation on vehicles, engines, subsystems, or components selected by the manufacturer under § 86.092-24(c)(2)(i). The manufacturer determines the form and extent of this mileage or service accumulation, consistent with good engineering practice, and describes it in the application for certification.

(ii) Mileage accumulation of the duration selected by the manufacturer on emission-data vehicles selected under § 86.092-24(b)(1). The procedure for mileage accumulation will be the Durability Driving Schedule as specified in Appendix IV to this part. A modified procedure may also be used if approved in advance by the Administrator. Except with the advance approval of the Administrator, all vehicles will accumulate mileage at a measured curb weight which is within 100 pounds of the estimated curb weight. If the loaded vehicle weight is within 100 pounds of being included in the next higher inertia weight class as specified in § 86.129, the manufacturer may elect to conduct the respective emission tests at the test weight corresponding to the higher loaded vehicle weight.

(iii) Service or mileage accumulation which may be part of the test procedures used by the manufacturer to establish evaporative emission deterioration factors.

(3) Exhaust emission deterioration factors will be determined on the basis of the mileage or service accumulation described in paragraph (b)(2)(i) of this section and related testing, according to the manufacturer's procedures.

(4) Each emission-data vehicle shall be operated and tested as follows:

(i) *Otto-cycle*. (A) The manufacturer shall determine, for each engine family,

the mileage at which the engine-system combination is stabilized for emission-data testing. The manufacturer shall maintain, and provide to the Administrator if requested, a record of the rationale used in making this determination. The manufacturer may elect to accumulate 4,000 miles on each test vehicle within an engine family without making a determination. The manufacturer must accumulate a minimum of 2,000 miles (3,219 kilometers) on each test vehicle within an engine family. All test vehicle mileage must be accurately determined, recorded, and reported to the Administrator. Any vehicle used to represent emission-data vehicle selections under § 86.092-24(b)(1) shall be equipped with an engine and emission control system that has accumulated the mileage the manufacturer chose to accumulate on the test vehicle. Fuel economy data generated from certification vehicles selected in accordance with § 86.092-24(b)(1) with engine-system combinations that have accumulated more than 10,000 kilometers (6,200 miles) shall be factored in accordance with § 600.006-87(c). Complete exhaust emission tests shall be conducted for each emission-data vehicle selection under § 86.092-24(b)(1). The Administrator may determine under § 86.092-24(f) that no testing is required.

(B) Emission tests for emission-data vehicle(s) selected for testing under § 86.092-24 (b)(1)(v) or (b)(1)(viii) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing or at 6,436 kilometers (4,000 miles) under high-altitude conditions.

(C) Exhaust and evaporative emission tests for emission-data vehicle(s) selected for testing under § 86.092-24(b)(1) (ii), (iii), (iv)(A), or (vii)(B) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing or at 6,436 kilometer (4,000 mile) test point under low-altitude conditions.

(D) If the manufacturer recommends adjustments or modifications in order to conform to emission standards at high altitude, such adjustments or modifications shall be made to the test vehicle selected under § 86.092-24(b)(1) (v) and (viii) (in accordance with the instructions to be provided to the ultimate purchaser) before being tested under high-altitude conditions.

(ii) *Diesel*. (A) The manufacturer shall determine, for each engine family, the mileage at which the engine-system combination is stabilized for emission-data testing. The manufacturer shall maintain, and provide to the

Administrator if requested, a record of the rationale used in making this determination. The manufacturer may elect to accumulate 4,000 miles on each test vehicle within an engine family without making a determination. The manufacturer must accumulate a minimum of 2,000 miles (3,219 kilometers) on each test vehicle within an engine family. All test vehicle mileage must be accurately determined, recorded, and reported to the Administrator. Any vehicle used to represent emission-data vehicle selections under § 86.092-24(b)(1) shall be equipped with an engine and emission control system that has accumulated the mileage the manufacturer chose to accumulate on the test vehicle. Fuel economy data generated from certification vehicles selected in accordance with § 86.092-24(b)(1) with engine-system combinations that have accumulated more than 10,000 kilometers (6,200 miles) shall be factored in accordance with § 600.006-87(c). Complete exhaust emission tests shall be conducted for each emission-data vehicle selection under § 86.092-24(b)(1). The administrator may determine under § 86.092-24(f) that no testing is required.

(B) Emission tests for emission-data vehicle(s) selected for testing under § 86.092-24 (b)(1)(v) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing or at the 6,436 kilometer (4,000 mile) test point under high-altitude conditions.

(C) Exhaust and evaporative emission tests for emission-data vehicle(s) selected for testing under § 86.092-24 (b)(1) (ii), (iii), and (iv) shall be conducted at the mileage (2,000 mile minimum) at which the engine-system combination is stabilized for emission testing or at the 6,436 kilometer (4,000 mile) test point under low-altitude conditions.

(D) If the manufacturer recommends adjustments or modifications in order to conform to emission standards at high-altitude, such adjustments or modifications shall be made to the test vehicle selected under § 86.092-24(b)(1) (v) and (viii) (in accordance with the instructions to be provided to the ultimate purchaser) before being tested under high-altitude conditions.

(iii) [Reserved]

(iv) All tests required by this subpart on emission-data vehicles shall be conducted at a mileage equal to or greater than the mileage the manufacturer determines under paragraph (b)(4) of this section.

(c)(1) Paragraph (c) of this section applies to heavy-duty engines.

(2) There are two types of service accumulation applicable to heavy-duty engines:

(i) Service accumulation on engines, subsystems, or components selected by the manufacturer under § 86.092-24(c)(3)(i). The manufacturer determines the form and extent of this service accumulation, consistent with good engineering practice, and describes it in the application for certification.

(ii) Dynamometer service accumulation on emission-data engines selected under § 86.092-24 (b)(2) or (b)(3). The manufacturer determines the engine operating schedule to be used for dynamometer service accumulation, consistent with good engineering practice. A single engine operating schedule shall be used for all engines in an engine family-control system combination. Operating schedules may be different for different combinations.

(3) Exhaust emission deterioration factors will be determined on the basis of the service accumulation described in paragraph (b)(2)(i) of this section and related testing, according to the manufacturer's procedures.

(4) The manufacturer shall determine, for each engine family, the number of hours at which the engine system combination is stabilized (no less than 62 hours for catalyst equipped) for emission-data testing. The manufacturer shall maintain, and provide to the Administrator if requested a record of the rationale used in making this determination. The manufacturer may elect to accumulate 125 hours on each test engine within an engine family without making a determination. Any engine used to represent emission-data engine selections under § 86.092-24(b)(2) shall be equipped with an engine system combination that has accumulated at least the number of hours determined under this paragraph. Complete exhaust emission tests shall be conducted for each emission-data engine selection under § 86.092-24(b)(2). Evaporative emission controls need not be connected provided normal operating conditions are maintained in the engine induction system. The Administrator may determine under § 86.092-24(f) that no testing is required.

(d)(1) Paragraph (d) of this section applies to both light-duty trucks and heavy-duty engines.

(2)(i) The results of all emission testing shall be supplied to the Administrator. The manufacturer shall furnish to the Administrator explanation for voiding any test. The Administrator will determine if voiding the test was appropriate based upon the explanation

given by the manufacturer for the voided test. Tests between test points may be conducted as required by the Administrator. Data from all tests (including voided tests) may be submitted weekly to the Administrator, but shall be air posted or delivered to the Administrator within 7 days after completion of the test. In addition, all test data shall be compiled and provided to the Administrator in accordance with § 86.092-23. Where the Administrator conducts a test on a durability-data vehicle at a prescribed test point, the results of that test will be used in the calculation of the deterioration factor.

(ii) The results of all emission tests shall be recorded and reported to the Administrator. These test results shall be rounded, in accordance with ASTM E 29-67, to the number of decimal places contained in the applicable emission standard expressed to one additional significant figure.

(3) Whenever a manufacturer intends to operate and test a vehicle (or engine) which may be used for emission data, the manufacturer shall retain in its records all information concerning all emissions tests and maintenance, including vehicle (or engine) alterations to represent other vehicle (or engine) selections. This information shall be submitted, including the vehicle (or engine) description and specification information required by the Administrator, to the Administrator following the emission-data test.

(4)-(5) [Reserved]

(6) Emission testing of any type with respect to any certification vehicle or engine other than that specified in this subpart is not allowed except as such testing may be specifically authorized by the Administrator.

(Approved by the Office of Management and Budget under the control number 2060-0104)

7. A new § 86.092-35 is added to read as follows:

§ 86.092-35 Labeling.

(a) The manufacturer of any motor vehicle (or motor vehicle engine) subject to the applicable emission standards (and family emission limits, as appropriate) of this subpart, shall, at the time of manufacture, affix a permanent legible label, of the type and in the manner described below, containing the information hereinafter provided, to all production models of such vehicles (or engines) available for sale to the public and covered by a certificate of conformity under § 86.091-30(a).

(1) *Light-duty vehicles.* (i) A permanent, legible label shall be affixed, in a readily visible position in the engine compartment.

(ii) The label shall be affixed by the vehicle manufacturer who has been issued the certificate of conformity for such vehicle, in such manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from such vehicle.

(iii) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(A) The label heading: Vehicle Emission Control Information;

(B) Full corporate name and trademark of manufacturer;

(C) Engine displacement (in cubic inches or liters), engine family identification and evaporative family identification;

(D) Engine tune-up specifications and adjustments, as recommended by the manufacturer in accordance with the applicable emission standards (or family emission limits, as applicable), including but not limited to idle speeds(s), ignition timing, the idle air-fuel mixture setting procedure and value (e.g., idle CO, idle air-fuel ratio, idle speed drop), high idle speed, initial injection timing and valve lash (as applicable), as well as other parameters deemed necessary by the manufacturer. These specifications should indicate the proper transmission position during tuneup and what accessories (e.g., air conditioner), if any, should be in operation;

(E) An unconditional statement of compliance with the appropriate model year U.S. Environmental Protection Agency regulations which apply to light-duty vehicles;

(F) For vehicles which are part of the diesel particulate averaging program, the family particulate emission limit to which the vehicle is certified;

(G) For vehicles that have been exempted from compliance with the emission standards at high altitude, as specified in § 86.090-8(h);

(1) A highlighted statement (e.g., underscored or boldface letters) that the vehicle is certified to applicable emission standards at low altitude only;

(2) A statement that the vehicle's unsatisfactory performance under high-altitude conditions makes it unsuitable for principal use at high altitude, and

(3) A statement that the emission performance warranty provisions of 40 CFR part 85, subpart V do not apply when the vehicle is tested at high altitude; and

(H) For vehicles that have been exempted from compliance with the

emission standards at low altitude, as specified in § 86.090-8(i):

(1) A highlighted statement (e.g., underscore or boldface letters) that the vehicle is certified to applicable emission standards at high altitude only; and

(2) A statement that the emission performance warranty provisions of 40 CFR part 85, subpart V do not apply when the vehicle is tested at low altitude.

(I) The vacuum hose routing diagram applicable to the vehicles if the vehicles are equipped with vacuum actuated emission and emission-related components. The manufacturer may, at its option, use a separate label for the vacuum hose routing diagram provided that the vacuum hose diagram is placed in a visible and accessible position as provided in this section.

(J) Vehicles granted final admission under § 85.1505 must comply with the labeling requirements contained in § 85.1510.

(2) *Light-duty truck and heavy-duty vehicles optionally certified in accordance with the light-duty truck provisions.* (i) A legible, permanent label shall be affixed in a readily visible position in the engine compartment.

(ii) The label shall be affixed by the vehicle manufacturer who has been issued the certificate of conformity for such vehicle, in such a manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from such vehicle.

(iii) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label.

(A) The label heading: Important Vehicle Information;

(B) Full corporate name and trademark of manufacturer;

(C) Engine displacement (in cubic inches or liters) and engine family identification;

(D) Engine tune-up specifications and adjustments, as recommended by the manufacturer in accordance with the applicable emission standards (or family emission limits, as appropriate), including but not limited to idle speed(s), ignition timing, the idle air-fuel mixture setting procedure and value (e.g., idle CO, idle air-fuel ratio, idle speed drop), high idle speed, initial injection timing, and valve lash (as applicable), as well as other parameters deemed necessary by the manufacturer. These specifications should indicate the proper transmission position during tune-up and what accessories (e.g., air

conditioner), if any, should be in operation. If adjustments or modifications to the vehicle are necessary to insure compliance with emission standards (or family emission limits, as appropriate) at either high or low altitude, the manufacturer shall either include the instructions for such adjustments on the label, or indicate on the label where instructions for such adjustments may be found. The label shall indicate whether the engine tune-up or adjustment specifications are applicable to high altitude, low altitude, or both;

(E) (1) *Light-duty trucks.* One of the prominent statements, as applicable:

(i) Labels for light-duty trucks certified to the oxides of nitrogen standard of 1.12 grams per vehicle mile shall include the following statement: "This vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Light-Duty Trucks."

(ii) Labels for light-duty trucks certified to the oxides of nitrogen standard of 1.7 grams per vehicle mile shall include the following statement: "This vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Light-Duty Trucks with a curb weight greater than 3,450 pounds."

(2) *Heavy-duty vehicles optionally certified in accordance with the light-duty truck provisions.* "This heavy-duty vehicle conforms to the U.S. EPA regulations applicable to 19___ Model Year Light-Duty Trucks under the special provision of 40 CFR 86.092-1(b)."

(F) If the manufacturer is provided an alternate useful life period under the provisions of § 86.091-21(f), the prominent statement: "This vehicle has been certified to meet U.S. EPA standards for a useful-life period of ___ years or ___ miles of operation, whichever occurs first. This vehicle's actual life may vary depending on its service application." The manufacturer may alter this statement only to express the assigned alternate useful life in terms other than years or miles (e.g., hours, or miles only).

(G) A statement, if applicable, that the adjustments or modifications indicated on the label are necessary to ensure emission control compliance at the altitude specified.

(H) A statement, if applicable, that the high-altitude vehicle was designated or modified for principal use at high altitude. This statement must be affixed by the manufacturer at the time of assembly or by any dealer who performs the high-altitude modification or adjustment prior to sale to an ultimate purchaser.

(I) For vehicles that have been exempted from compliance with the

high-altitude emission standards, as specified in § 86.091-9(g)(2).

(1) A highlighted statement (e.g., underscored or boldface letters) that the vehicle is certified to applicable emission standards at low altitude only.

(2) A statement that the vehicle's unsatisfactory performance under high-altitude conditions makes it unsuitable for principal use at high altitude, and

(3) A statement that the emission performance warranty provisions of 40 CFR Part 85, Subpart V do not apply when the vehicle is tested at high altitude;

(J) For vehicles which are included in the diesel particulate averaging program, the family particulate emission limit to which the vehicle is certified.

(K) For vehicles which are included in the light-duty truck NO_x averaging program, the family NO_x emissions limit to which the vehicle is certified.

(L) The vacuum hose routing diagram applicable to the vehicles if the vehicles are equipped with vacuum actuated emission and emission-related components. The manufacturer may, at its option, use a separate label for the vacuum hose routing diagram provided that the vacuum hose diagram is placed in a visible and accessible position as provided by this section.

(M) Vehicles granted final admission under § 85.1505 must comply with the labeling requirements contained in § 85.1510.

(3) *Heavy-duty engines.* (i) A permanent legible label shall be affixed to the engine in a position in which it will be readily visible after installation in the vehicle.

(ii) The label shall be attached to an engine part necessary for normal engine operation and not normally requiring replacement during engine life.

(iii) The label shall contain the following information lettered in the English language in block letters and numerals which shall be of a color that contrasts with the background of the label:

(A) The label heading: Important Engine Information.

(B) Full corporate name and trademark of manufacturer;

(C) Engine displacement (in cubic inches or liters) and engine family and model designations;

(D) Date of engine manufacture (month and year). The manufacturer may, in lieu of including the date of manufacture on the engine label, maintain a record of the engine manufacture dates. The manufacturer shall provide the date of manufacture records to the Administrator upon request.

(E) Engine specifications and adjustments as recommended by the manufacturer. These specifications should indicate the proper transmission position during tune-up and what accessories (e.g., air conditioner), if any, should be in operation;

(F) For Otto-cycle engines the label should include the idle speed, ignition timing, and the idle air-fuel mixture setting procedure and value (e.g., idle CO, idle air-fuel ratio, idle speed drop), and valve lash;

(G) For diesel engines the label should include the advertised hp at rpm, fuel rate at advertised hp in mm³/stroke, valve lash, initial injection timing, and idle speed;

(H) The prominent statement: "This engine conforms to U.S. EPA regulations applicable to 19___ Model Year New Heavy-Duty Engines."

(I) If the manufacturer is provided with an alternate useful life period under the provisions of § 86.901-21(f), the prominent statement: "This engine has been certified to meet U.S. EPA standards for a useful-life period of ___ miles or ___ hours of operation, whichever occurs first. This engine's actual life may vary depending on its service application." The manufacturer may alter this statement only to express the assigned alternate useful life in terms other than miles or hours (e.g., years, or hours only).

(J) For diesel engines. The prominent statement: "This engine has a primary intended service application as a ___ heavy-duty engine." (The primary intended service applications are light, medium, and heavy, as defined in § 86.902-2.)

(K) For Otto-cycle engines. One of the following statements, as applicable:

(1) For engines certified to the emission standards under § 86.091-10 (a)(1) (i) or (iii), the statement: "This engine is certified for use in all heavy-duty vehicles."

(2) For gasoline-fueled engines certified under the provisions of § 86.091-10(a)(3)(i), the statement: "This engine is certified for use in all heavy-duty vehicles under the special provision of 40 CFR § 86.091-10(a)(3)(i)."

(3) For engines certified to the emission standards under § 86.091-10 (a)(1) (ii) or (iv), the statement: "This engine is certified for use only in heavy-duty vehicles with a gross vehicle weight rating above 14,000 lbs."

(L) For diesel engines which are included in the diesel heavy-duty particulate averaging program, the family particulate emission limit to which the engine is certified.

(M) For any heavy-duty engines which are included in the heavy-duty NO_x

averaging program, the family NO_x emission limit to which the engine is certified.

(N) Engines granted final admission under § 85.1505 must comply with the labeling requirements contained in § 85.1510.

(iv) The label may be made up of one or more pieces: *Provided*, That all pieces are permanently attached to the same engine or vehicle part as applicable.

(4)(i) *Gasoline-fueled and methanol-fueled heavy-duty vehicles.* A permanent, legible label shall be affixed in a readily visible position in the engine compartment. If such vehicles do not have an engine compartment, the label required in paragraphs (a)(4) and (g)(1) of this section shall be affixed in a readily visible position on the operator's enclosure or on the engine.

(ii) The label shall be affixed by the vehicle manufacturer who has been issued the certificate of conformity for such vehicle, in such a manner that it cannot be removed without destroying or defacing the label. The label shall not be affixed to any equipment which is easily detached from such vehicle.

(iii) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(A) The label heading: Vehicle Emission Control Information;

(B) Full corporate name and trademark of manufacturer;

(C) Evaporative family identification;

(D) The maximum nominal fuel tank capacity (in gallons) for which the evaporative control system is certified; and,

(E) One of the following, as appropriate:

(1) An unconditional statement of compliance with the appropriate model year U.S. Environmental Protection Agency regulations which apply to gasoline-fueled heavy-duty vehicles.

(2) An unconditional statement of compliance with the appropriate model year U.S. Environmental Protection Agency regulations which apply to methanol-fueled heavy-duty vehicles.

(F) Vehicles granted final admission under § 85.1505 must comply with the labeling requirements contained in § 85.1510.

(b) The provisions of this section shall not prevent a manufacturer from also reciting on the label that such vehicle (or engine) conforms to any applicable state emission standards for new motor vehicles (or new motor vehicle engines) or any other information that such manufacturer deems necessary for, or useful to, the proper operation and

satisfactory maintenance of the vehicle (or engine).

(c)(1) The manufacturer of any light-duty vehicle or light-duty truck subject to the emission standards (or family emission limits, as appropriate) of this subpart shall, in addition and subsequent to setting forth those statements on the label required by the Department of Transportation (DOT) pursuant to 49 CFR 567.4, set forth on the DOT label or an additional label located in proximity to the DOT label and affixed as described in 40 CFR 567.4(b), the following information in the English language, lettered in block letters and numerals not less than three thirty-seconds of an inch high, of a color that contrasts with the background of the label:

(i) The heading: "Vehicle Emission Control Information."

(ii)(A) *For light-duty vehicles.* The statement: "This Vehicle Conforms to U.S. EPA Regulations Applicable to 19___ Model Year New Motor Vehicles."

(B) *For light-duty trucks.* (1) The statement: "This vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Light-Duty Trucks."

(2) If the manufacturer is provided an alternate useful life period under the provisions of § 86.091-21(f), the prominent statement: "This vehicle has been certified to meet U.S. EPA standards for a useful-life period of ___ years or ___ miles of operation, whichever occurs first. This vehicle's actual life may vary depending on its service application." The manufacturer may alter this statement only to express the assigned alternate useful life in terms other than years or miles (e.g., hours, or miles only).

(iii) One of the following statements, as applicable, in letters and numerals not less than six thirty-seconds of an inch high and of a color that contrasts with the background of the label:

(A) For all vehicles certified as noncatalyst-equipped: "NON-CATALYST"

(B) For all vehicles certified as catalyst-equipped which are included in a manufacturer's catalyst control program for which approval has been given by the Administrator: "CATALYST—APPROVED FOR IMPORT"

(C) For all vehicles certified as catalyst-equipped which are not included in a manufacturer's catalyst control program for which prior approval has been given by the Administrator: "CATALYST"

(2) In lieu of selecting either of the labeling options of paragraph (c)(1) of this section, the manufacturer may add the information required by paragraph (c)(1)(iii) of this section to the label required by paragraph (a) of this section. The required information will be set forth in the manner prescribed by paragraph (c)(1)(iii) of this section.

(d) Incomplete light-duty trucks or incomplete heavy-duty vehicles optionally certified in accordance with the light-duty truck provisions shall have one of the following prominent statements, as applicable, printed on the label required by paragraph (a)(2) of this section in lieu of the statement required by paragraph (a)(2)(iii)(E) of this section.

(1) *Light-duty trucks.* (i) Labels for light-duty trucks certified to the oxides of nitrogen standard of 1.2 grams per vehicle mile shall include the following statement: "This vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Light-Duty Trucks when it does not exceed ___ pounds in curb weight, ___ pounds in gross vehicle weight rating, and ___ square feet in frontal area."

(ii) Labels for light-duty trucks certified to the oxides of nitrogen standards of 1.7 grams per vehicle mile shall include the following statement: "This vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Light-Duty Trucks when it is between 3,450 pounds and ___ pounds in curb weight and it does not exceed ___ pounds in gross vehicle weight rating nor ___ square feet in frontal area."

(2) *Heavy-duty vehicles optionally certified in accordance with the light-duty truck provisions.* "This heavy-duty vehicle conforms to the U.S. EPA regulations applicable to 19___ Model Year Light-Duty Trucks under the special provision of 40 CFR 86.085-1(b) when it does not exceed ___ pounds in curb weight, ___ pounds in gross vehicle weight rating, and ___ square feet in frontal area."

(e) Incomplete heavy-duty vehicles having a gross vehicle weight rating of 8,500 pounds or less shall have one of the following statements printed on the label required by paragraph (a)(3) of this section in lieu of the statement required by paragraph (a)(3)(iii)(H) of this section: "This engine conforms to U.S. EPA regulations applicable to 19___ Model Year Heavy-Duty Engines when installed in a vehicle completed at a curb weight of more than 6,000 pounds or with a frontal area of greater than 45 square feet."

(f) The manufacturer of any incomplete light-duty vehicle or light-duty truck shall notify the purchaser of

such vehicle of any curb weight, frontal area, or gross vehicle weight rating limitations affecting the emission certificate applicable to that vehicle. This notification shall be transmitted in a manner consistent with National Highway Traffic Safety Administration safety notification requirements published in 49 CFR part 568.

(g)(1)(i) Incomplete gasoline-fueled heavy-duty vehicles shall have the following prominent statement printed on the label required in paragraph (a)(4) of this section: "(Manufacturer's corporate name) has determined that this vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Gasoline-Fueled Heavy-Duty Vehicles when completed with a nominal fuel tank capacity not to exceed ___ gallons. Persons wishing to add fuel tank capacity beyond the above maximum must submit a written statement to the Administrator that the hydrocarbon storage system has been upgraded according to the requirements of 40 CFR 86.092-35(g)(2)."

(ii) Incomplete methanol-fueled heavy-duty vehicles shall have the following prominent statement printed on the label required in paragraph (a)(4) of this section: "(Manufacturer's corporate name) has determined that this vehicle conforms to U.S. EPA regulations applicable to 19___ Model Year New Methanol-Fueled Heavy-Duty Vehicles when completed with a nominal fuel tank capacity not to exceed ___ gallons. Persons wishing to add fuel tank capacity beyond the above maximum must submit a written statement to the Administrator that the hydrocarbon storage system has been upgraded according to the requirements of 40 CFR 86.091-35(g)(2)."

(2) Persons wishing to add fuel tank capacity beyond the maximum specified on the label required in paragraph (g)(1) of this section shall:

(i) Increase the amount of fuel tank vapor storage material according to the following function:

$$Cap_f = Cap_i \left(\frac{T. Vol.}{Max. Vol.} \right)$$

Where:

Cap_f = final amount of fuel tank vapor storage material, grams.

Cap_i = initial amount of fuel tank vapor storage material, grams.

T. Vol. = total fuel tank volume of completed vehicle, gallons.

Max. Vol. = maximum fuel tank volume as specified on the label required in paragraph (g)(1) of this section, gallons.

(ii) Use, if applicable, hosing for fuel vapor routing which is at least as impermeable to hydrocarbon vapors as that used by the primary manufacturer.

(iii) Use vapor storage material with the same absorptive characteristics as that used by the primary manufacturer.

(iv) Connect, if applicable, any new hydrocarbon storage device to the existing hydrocarbon storage device in series such that the original hydrocarbon storage device is situated between the fuel tank and the new hydrocarbon storage device. The original hydrocarbon storage device shall be sealed such that vapors cannot reach the atmosphere. The elevation of the original hydrocarbon storage device shall be equal to or lower than the new hydrocarbon storage device.

(v) Submit a written statement to the Administrator that paragraphs (g)(2)(i) through (g)(2)(iv) of this section have been complied with.

(3) If applicable, the Administrator will send a return letter verifying the receipt of the written statement required in paragraph (g)(2)(v) of this section.

(h)(1) Light-duty trucks and heavy-duty vehicles and engines for which nonconformance penalties are to be paid in accordance with § 86.1113-87(b) shall have the following information printed on the label required in paragraph (a) of this section. The manufacturer shall begin labeling production engines or vehicles within 10 days after the completion of the PCA.

(i) The statement: "The manufacturer of this engine/vehicle will pay a nonconformance penalty to be allowed to introduce it into commerce at an emission level higher than the applicable emission standard. The compliance level (or new emission standard) for this engine/vehicle is ___." (The manufacturer shall insert the applicable pollutant and compliance level calculated in accordance with § 86.1112-87(a).)

(2) If a manufacturer introduces an engine or vehicle into commerce prior to the compliance level determination of § 86.1112-87(a), it shall provide the engine or vehicle owner with a label as described above to be affixed in a location in proximity to the label required in paragraph (a) of this section within 30 days of the completion of the PCA.

(Approved by the Office of Management and Budget under the control number 2000-0104)

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Asbestos Report

Wednesday
February 28, 1990

Part IV

Environmental Protection Agency

**Asbestos-Containing Materials in Schools;
EPA Approved Courses and Accredited
Laboratories Under the Asbestos Hazard
Emergency Response Act (AHERA)**

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-62086; FRL-3710-3]

Asbestos-Containing Materials in Schools; EPA Approved Courses and Accredited Laboratories Under the Asbestos Hazard Emergency Response Act (AHERA)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 206(c)(3) of the Toxic Substances Control Act (TSCA) directs the EPA Administrator to publish (and revise as necessary) a list of EPA-approved asbestos courses and tests which are consistent with the Agency's Model Accreditation Plan required under section 206(b) of TSCA. Also required is a list of courses and tests which qualify or had qualified for equivalency treatment for interim accreditation during the time period established by Congress in AHERA; that time period has ended in all States. The grace period for persons with interim accreditation expired in July 1989, in all except seven States. All courses approved for interim accreditation are included in the list for information purposes only.

Section 206(f) of TSCA Title II requires the Administrator to publish quarterly in the *Federal Register*, beginning August 31, 1988, a list of EPA-approved asbestos training courses. This *Federal Register* notice includes the tenth cumulative list of course approvals and a list that includes State accreditation programs that EPA has approved as meeting the requirements of the Model Plan. Additionally, this notice includes the most current list as of January 22, 1990, of laboratories accredited under section 206(d) of TSCA to conduct bulk analysis of asbestos-containing materials. Those laboratories which had previously received interim accreditation from EPA are no longer listed in this *Federal Register* because EPA interim approval for laboratories ended October 30, 1989.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460, Telephone: (202) 382-3790, TDD: (204) 554-0551.

SUPPLEMENTARY INFORMATION: Section 206 of Title II of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2646, required EPA to develop a Model Accreditation Plan by April 20, 1987.

The Plan was issued on April 20, 1987, and was published in the *Federal Register* of April 30, 1987 (52 FR 15875), as Appendix C to Subpart E, 40 CFR part 763. To conduct asbestos-related work in schools, persons must receive accreditation in order to inspect school buildings for asbestos, develop management plans, and design or conduct response actions. Such persons can be accredited by States, which are required under Title II to adopt contractor accreditation plans at least as stringent as the EPA Model Plan, or by completing an EPA-approved training course and passing an examination for such course. The EPA Model Accreditation Plan establishes those areas of knowledge of asbestos inspection, management plan development, and response action technology that persons seeking accreditation must demonstrate and States must include in their accreditation programs.

In the *Federal Register* of October 31, 1989 (52 FR 41826), EPA promulgated a final "Asbestos-Containing Materials in Schools" rule (40 CFR part 763, subpart E) which required all local education agencies (LEAs) to identify asbestos-containing materials (ACM) in their school buildings and take appropriate actions to control the release of asbestos fibers. The LEAs are also required to describe their activities in management plans, which must be made available to the public and submitted to State governors. Under Title II, LEAs are required to use specially trained persons to conduct inspections for asbestos, develop the management plans, and design or conduct major actions to control asbestos. The rule took effect on December 14, 1987.

The length of initial training courses for accreditation under the Model Plan varies by discipline. Briefly, inspectors must take a 3-day training course; management planners must take the inspection course plus an additional 2 days devoted to management planning; and abatement project designers are required to have at least 3 days of training. In addition, asbestos abatement contractors and supervisors must take a 4-day training course and asbestos abatement workers are required to take a 3-day training course. For all disciplines, persons seeking accreditation must also pass an examination and participate in annual re-training courses. A complete description of accreditation requirements can be found in the Model Accreditation Plan at 40 CFR part 763, subpart E, Appendix C.I.1.A through E.

In Section 206(c)(3) of Title II, and as amended by section 206(f), the

Administrator, in consultation with affected organizations, is directed to publish quarterly a list of asbestos courses and tests in effect before the date of enactment of this title which qualified for equivalency treatment for interim accreditation purposes, and a list of EPA-approved asbestos courses and tests which the Administrator has determined are consistent with the Model Plan and which qualify a contractor for accreditation. In addition, the Agency has included in this notice the most current list of laboratories which have received accreditation from the National Institute of Standards and Technology (NIST), formerly the National Bureau of Standards (NBS), for the analysis of bulk materials for asbestos by polarized light microscopy (PLM). Those laboratories which had previously received interim accreditation from EPA are no longer listed in this *Federal Register* because EPA interim approval for laboratories ended October 30, 1989.

The *Federal Register* notice of October 30, 1987, included the initial list of course approvals. In addition, the list included State accreditation programs that EPA has approved as meeting the requirements of the Model Plan. The second *Federal Register* notice of February 10, 1988 (53 FR 3982), the third *Federal Register* notice of June 1, 1988 (53 FR 20066), the fourth *Federal Register* notice of August 31, 1988 (53 FR 33574), the fifth *Federal Register* notice of November 30, 1988 (53 FR 48424), the sixth *Federal Register* notice of February 28, 1989 (54 FR 8438), the seventh *Federal Register* notice of May 31, 1989 (54 FR 23392), the eighth *Federal Register* notice of August 31, 1989 (54 FR 36166), and the ninth *Federal Register* notice of November 29, 1989 (54 FR 49190) were cumulative listings of EPA course approvals and EPA-approved State accreditation programs.

This *Federal Register* notice is divided into five units. Unit I discusses EPA approval of State accreditation programs. Unit II covers EPA approval of training courses. Unit III discusses the AHERA-imposed deadline for persons with interim accreditation. Unit IV provides the list of State accreditation programs and training courses approved by EPA as of January 22, 1990. Subsequent *Federal Register* notices will add other State programs as they are approved. Training courses received by EPA prior to October 15, 1989, and subsequently approved will also be listed. Unit V contains a listing of all laboratories under the NIST accreditation program for laboratories

that are conducting analyses of bulk samples of ACM.

As announced in the *Federal Register* of September 20, 1989, EPA is no longer accepting for review and contingent approval training courses for AHERA accreditation after October 15, 1989. However, a course's status may change after October 15. For example, a contingently approved course may become fully approved and a course with full approval may become disapproved. As mentioned in the September 1989 *Federal Register* notice, EPA has said it would continue to conduct full approval audits of courses that already have received contingent approval and review for contingent approval and subsequent full approval, courses received by EPA which had been postmarked on or before October 15, 1989. In the future, EPA may reach agreements with States that do not currently have an accreditation program, to turn over responsibility for auditing courses with contingent and full approval, as these States develop accreditation programs.

I. EPA Approval of State Accreditation Programs

As discussed in the Model Plan, EPA may approve State accreditation programs that the Agency determines are at least as stringent as the Model Plan. In addition, the Agency is able to approve individual disciplines within a State's accreditation program. For example, a State that currently only has an accreditation requirement for inspectors can receive EPA approval for that discipline immediately, rather than waiting to develop accreditation requirements for all disciplines in the Model Plan before seeking EPA approval.

As listed in Unit IV, Alaska, Arkansas, Colorado, Delaware, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, New Jersey, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Virginia, Washington, and Wisconsin have received EPA full approval for two accreditation disciplines, abatement workers as well as contractors and supervisors, that are at least as stringent as the Model Plan. In addition, the States of Colorado, Indiana, Iowa, Massachusetts, Michigan, North Dakota, Rhode Island, South Dakota, Utah, Virginia, and Wisconsin have received full approval for their inspector/management planner and project designer disciplines. Any training courses in those disciplines approved by the aforementioned States are EPA-approved courses for purposes of accreditation. These training courses are EPA-approved courses for purposes

of TSCA Title II in these States and in all States without an EPA-approved accreditation program for the discipline. Current lists of training courses approved by Arkansas, Delaware, Iowa, Massachusetts, Michigan, New Jersey, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Virginia, and Washington are listed under Unit IV. Alaska, Colorado, Indiana, Kansas, and Wisconsin do not have separate provider listings since the States have not independently approved any additional courses.

Each State accreditation program may have different requirements for State accreditation. For example, New Jersey requires participants of its courses to take the State exam. Therefore, those New Jersey-approved course sponsors who want to provide training in another State must develop their own examination. They must also submit a detailed statement about the development of the course examination as required by the Model Plan to the Regional Asbestos Coordinator in their region for EPA approval.

II. EPA Approval of Training Courses

A cumulative list of training courses approved by EPA is included under Unit IV. The examinations for these approved courses under Unit IV have also been approved by EPA. EPA has three categories of course approval: full, contingent, and approved for interim accreditation. As noted in Unit III, interim accreditation is no longer in effect in all except seven States and will expire in all States as of July 1990. Each course that had been approved for interim accreditation will show inclusive dates of this approval. EPA's deadline for interim accreditation is discussed in Unit III.

Full approval means EPA has reviewed and found acceptable the course's written submission seeking EPA approval and has conducted an on-site audit and determined that the training course meets or exceeds the Model Plan's training requirements for the relevant discipline.

Contingent approval means the Agency has reviewed the course's written submission seeking EPA approval and found the material to be acceptable (i.e., the written course materials meet the Model Plan's training course requirements). However, EPA has not yet conducted an on-site audit.

Successful completion of either a fully approved course or a contingently approved course provides full accreditation for course attendees. If EPA subsequently audits a contingently approved course and withdraws approval due to deficiencies discovered

during the audit, future course offerings would no longer have EPA approval. However, withdrawal of EPA approval would not effect the accreditation of persons who took previously offered training courses, including the course audited by EPA.

Thus far, EPA has taken formal action to revoke or suspend course approvals in two instances. EPA revoked approval from Living Word College's inspector and management planner training courses offered after May 6, 1988. Living Word College is located in EPA Region VII. In addition, EPA has suspended approval from the Safety Management Institute's training courses and refresher courses for workers, inspectors/management planners, and contractors/supervisors. The effective date for the course suspensions is the first week of October 1989. Safety Management Institute is located in EPA Region III.

EPA-approved training courses listed under Unit IV are approved on a national basis. EPA has organized Unit IV by EPA Region to assist the public in locating those training courses that are offered nearby. Training courses are listed in the Region where the training course is headquartered. Although several sponsors offer their courses in various locations throughout the United States, a large number of course sponsors provide most of their training within their own Region.

State accreditation programs may have more stringent accreditation requirements than the Model Plan. As a result, some EPA-approved training courses listed under Unit IV may not meet the requirements of a particular State's accreditation program. Sponsors of training courses and persons who have received accreditation should contact individual States to check on accreditation requirements.

A number of training courses offered before EPA issued the Model Plan equaled or exceeded the subsequently issued Model Plan's training course requirements. These courses are listed under Unit IV as being approved. It should be noted that the persons who have successfully completed these are fully accredited; they are not only accredited on an interim basis.

III. Phase out of Interim Accreditation.

TSCA Title II enabled EPA to permit persons to be accredited on an interim basis if they had attended EPA-approved asbestos training before the effective date of the AHERA regulation and passed an asbestos exam. As a result, the Agency approved, on an interim basis, a number of training courses which had been offered prior to

the effective date of the AHERA regulation. Only those persons who had taken training courses equivalent to the Model Plan's requirements between January 1, 1985 and December 14, 1987, were considered accredited under these interim provisions. Equivalent means that the courses had to be essentially similar in length and content to the curriculum found in the Model Plan. In addition, an examination had to be essentially equivalent to the examination requirements found in the Model Plan. If no examination was offered at the time, course providers seeking interim approval needed to provide an examination.

Persons who took one of the EPA-approved courses for interim accreditation, and could produce evidence that they had successfully completed the course by passing an examination, were accredited on an interim basis. This accreditation was interim since the person was considered accredited for only 1 year after the date on which the State where the person was employed was required to have established an accreditation program at least as stringent as the EPA Model Plan. TSCA Title II requires States to adopt a contractor accreditation program at least as stringent as the Model Plan within 180 days after the first regular session of the State's legislature convened following the date EPA issued the Model Plan.

The deadline for all States to establish a complete accreditation program was July 1989. In fact, most States were required to have developed a program by July 1988. As a result, after July 1989, the period of interim accreditation expired for persons in all States but Arkansas, Montana, Nevada, North Carolina, Oregon, Pennsylvania, and Texas. In these seven States, the legislatures meet on a bi-annual basis and last met in January 1989; therefore, persons with interim accreditation will not lose their interim status in these States until July 1990. In any other State that has not developed accreditation programs at least as stringent as the Model Plan, persons accredited on an interim basis are no longer eligible to perform AHERA work. Such persons were required to complete an EPA-approved course or a State course under a State plan at least as stringent as the EPA Model Plan to receive full accreditation. For example, a person with interim accreditation as a supervisor would have to take a 4-day supervisor's course approved by EPA or an EPA-approved State program to become fully accredited.

IV. List of EPA-Approved State Accreditation Programs and Training Courses

The tenth cumulative listing of EPA-approved State accreditation programs and training courses is listed in Unit IV. As discussed above, quarterly notifications of EPA approval of State accreditation programs and EPA approval of training courses will be published in subsequent Federal Register notices. The closing date for the acceptance of submissions to EPA for inclusion in this tenth notice was January 22, 1990. Omission from this list does not imply disapproval by EPA, nor does the order of the courses reflect priority or quality. The format of the notification lists first the State accreditation programs approved by EPA, followed by EPA-approved training courses listed by Region. The name, address, phone number, and contact person is provided for each training provider followed by the courses and type of course approval (i.e., full, contingent, or for interim purposes).

As of January 22, 1990, a total of 587 training providers are offering 1113 EPA-approved training courses for accreditation under TSCA Title II. There are 487 asbestos abatement worker courses, 373 contractor/supervisor courses, 195 inspector/management planner courses, 17 inspector only courses, and 41 project designer courses. In addition, EPA has approved 685 refresher courses. Nineteen States have EPA-approved State accreditation programs in one or more disciplines.

The EPA-funded model course for inspectors and management planners is available. In addition, a previous EPA-developed course for asbestos abatement contractors and supervisors has been revised and is available in final form for interested parties who plan to offer training courses. EPA anticipates that its model worker course will be available in Spring 1990. A fee for each course will be charged to cover the reproduction and shipping costs for the written and visual aid materials. Interested parties should contact the following firm to receive copies of the training courses: ATLIS Federal Services, Inc., EPA AHERA Program, 6011 Executive Blvd., Rockville, MD 20852, Phone number: (301) 468-1916.

The following is the cumulative list of EPA-approved State accreditation programs and training courses:

Approved State Accreditation Programs

(1)(a) State: Alaska.

State Agency: Department of Labor,
Address: P.O. Box 1149, Juneau, AK

99802, Contact: Richard Arab, Phone: (907) 465-4856.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (interim from 10/1/85).
Abatement Worker (full from 1/29/90).
Contractor/Supervisor (interim from 10/1/85).
Contractor/Supervisor (full from 1/29/90).

(2)(a) State: Arkansas.

State Agency: Arkansas Dept. of Pollution Control and Ecology,
Address: 8001 National Dr., P.O. Box 9583, Little Rock, AR 72209, Contact: Wilson Tolefree, Phone: (501) 562-7444.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (interim from 11/22/85).
Abatement Worker (full from 1/22/88).
Contractor/Supervisor (interim from 11/22/85).
Contractor/Supervisor (full from 1/22/88).

Arkansas Department of Pollution Control and Ecology, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) Training Provider: Arkansas Laborers Training Fund.

Address: 4501 West 61st St., Little Rock, AR 72209, Contact: W. Rudy Osborne, Phone: (501) 562-5502.

(b) Approved Course:

Abatement Worker (Certified 5/2/88).

(ii)(a) Training Provider: Asbestos Training & Employment, Inc.

Address: 809 East 11th St., Michigan City, IN 46360, Contact: Bruce H. Connell, Phone: (219) 874-7348.

(b) Approved Courses:

Abatement Worker (Certified 5/18/88).
Contractor/Supervisor (Certified 5/18/88).

(iii)(a) Training Provider: Critical Environmental Training, Inc.

Address: 5815 Gulf Freeway, Houston, TX 77023, Contact: Charles M. Flanders, Phone: (713) 921-8921.

(b) Approved Courses:

Abatement Worker (Certified 9/12/88).
Contractor/Supervisor (Certified 9/12/88).

(iv)(a) Training Provider: Environmental Institute.

Address: 350 Franklin Rd., Suite 300, Marietta, GA 30067, Contact: Eva Clay, Phone: (404) 425-2000.

(b) Approved Course:

- Contractor/Supervisor (Certified 10/7/88).
(v)(a) *Training Provider:* Environmental Technologies.
Address: P.O. Box 21243, Little Rock, AR 72221, Contact: Phyllis Moore, Phone: (501) 569-3518.
(b) *Approved Courses:*
Abatement Worker (Certified 3/16/88).
Abatement Worker Annual Review (Certified 3/30/89).
Contractor/Supervisor (Certified 3/16/88).
Contractor/Supervisor Annual Review (Certified 3/30/89).
(vi)(a) *Training Provider:* Hall-Kimbrell Environmental Services.
Address: P.O. Box 307, Lawrence, KS 66044, Contact: Patrick Shrepf, Phone: (913) 749-2381.
(b) *Approved Courses:*
Abatement Worker (Certified 6/8/88).
Contractor/Supervisor (Certified 6/8/88).
(vii)(a) *Training Provider:* Professional Asbestos Training Service.
Address: P.O. Box 19092, Little Rock, AR 72219, Contact: Harold Lewis, Phone: (501) 562-1519.
(b) *Approved Courses:*
Abatement Worker (Certified 4/18/88).
Abatement Worker Annual Review (Certified 1/4/90).
Contractor/Supervisor (Certified 4/18/88).
Contractor/Supervisor Annual Review (Certified 1/4/90).
(viii)(a) *Training Provider:* University of Arkansas.
Address: 521 South Razorback Rd., Fayetteville, AR 72701, Contact: Greg Weeks, Phone: (501) 575-6175.
(b) *Approved Course:*
Abatement Worker (Certified 10/7/88).
(3)(a) *State:* Colorado.
State Agency: Colorado Dept. of Health, Address: 4210 East 11th Ave., Denver, CO 80220, Contact: David R. Ouimette, Phone: (303) 320-8333.
(b) *Approved Accreditation Program Disciplines:*
Abatement Worker (full from 7/8/89).
Contractor/Supervisor (full from 7/8/89).
Inspector/Management Planner (full from 7/8/89).
Project Designer (full from 7/8/89).
(4)(a) *State:* Delaware.
State Agency: Delaware Dept. of Administrative Services, Address: O'Neill Building, P.O. Box 1401, Dover, DE 19903, Contact: Robert Foster, Phone: (302) 736-5644.
(b) *Approved Accreditation Program Disciplines:*
Abatement Worker (full from 8/14/89).
Contractor/Supervisor (full from 8/14/89).
Delaware Department of Administrative Services, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors
(i)(a) *Training Provider:* Delaware Technical & Community College Terry Campus.
Address: 1832 North Dupont Pkwy., Dover, DE 19901, Contact: David T. Stanley, Phone: (302) 736-5428.
(b) *Approved Courses:*
Abatement Worker (Certified 4/1/88).
Contractor/Supervisor (Certified 4/1/88).
(ii)(a) *Training Provider:* Local Union No. 42 Heat—Pipe & Frost Union.
Address: 1188 River Rd., New Castle, DE 19720, Contact: Robert Holden, Phone: (302) 328-4203.
(b) *Approved Courses:*
Abatement Worker (Certified 3/5/87).
Abatement Worker Annual Review (Certified 3/5/87).
Contractor/Supervisor (Certified 3/5/87).
Contractor/Supervisor Annual Review (Certified 3/5/87).
(5)(a) *State:* Indiana.
State Agency: Indiana Department of Environmental Management Office of Air Management, Address: 105 South Meridian St., P.O. Box 6015, Indianapolis, IN 46206-6015, Contact: Barry Titus, Phone: (317) 232-8325.
(b) *Approved Accreditation Program Disciplines:*
Abatement Worker (full from 11/10/89).
Contractor/Supervisor (full from 11/10/89).
Inspector (full from 11/10/89).
Inspector/Management Planner (full from 11/10/89).
Project Designer (full from 11/10/89).
(6)(a) *State:* Iowa.
State Agency: Iowa Dept. of Education School Facilities Administration & Accreditation, Address: Grimes State Office Bldg., Des Moines, IA 50319-0146, Contact: C. Milton Wilson, Phone: (515) 281-4743.
(b) *Approved Accreditation Program Disciplines:*
Abatement Worker (full from 11/30/87).
Contractor/Supervisor (full from 11/30/87).
Inspector (full from 11/30/87).
Inspector/Management Planner (full from 11/30/87).
Project Designer (full from 11/30/87).
Iowa Department of Education Administrative Finance School Plant Facilities, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers
(i)(a) *Training Provider:* Ames Environmental, Inc.
Address: 3910 Lincoln Way, Ames, IA 50010, Contact: Ann Fairchild, Phone: (515) 292-3400.
(b) *Approved Course:*
Inspector/Management Annual Review (Certified 12/8/89).
(ii)(a) *Training Provider:* Iowa Electric Light & Power.
Address: Duane Arnold Nuclear Energy Center, 3363 DEAC Rd., Palo, IA 52324, Contact: Robert Tucker, Phone: (319) 851-7574.
(b) *Approved Course:*
Contractor/Supervisor (Certified 10/1/89).
(iii)(a) *Training Provider:* Iowa Environmental Services, Inc.
Address: 820 First St., Suite 200, West Des Moines, IA 50365, Contact: Glenn Soyer, Phone: (515) 279-8045.
(b) *Approved Courses:*
Abatement Worker (Certified 3/27/89).
Contractor/Supervisor (Certified 10/1/89).
(iv)(a) *Training Provider:* M & W Environmental Consultants, Inc.
Address: RR No. 1 Wells Dr., Canton, IA 61520, Contact: Vahooman Mirkhaef, Phone: (800) 445-8745.
(b) *Approved Course:*
Inspector/Management Planner (Certified 10/1/89).
(7)(a) *State:* Kansas.
State Agency: Kansas Dept. of Health and Environment Asbestos Control Section, Address: Forbes Field Building 740, Topeka, KS 66620-7430, Contact: Howard F. Saiger, Phone: (913) 296-1544.
(b) *Approved Accreditation Program Disciplines:*
Abatement Worker (interim from 11/6/86).
Abatement Worker (full from 12/16/87).
* Applies only to workers who have taken the Kansas Contractor/Supervisor course and passed the State's worker exam.

Contractor/Supervisor (interim from 11/6/86).

Contractor/Supervisor (full from 12/16/87).

(8)(a) *State:* Massachusetts.

State Agency: Massachusetts Dept. of Labor & Industries; Division of Occupational Hygiene, Address: 1001 Watertown St., West Newton, MA 02165, Contact: Patricia Circone, Phone: (617) 727-3983.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 10/30/87).
Contractor/Supervisor (full from 10/30/87).

Inspector (full from 10/30/87).

Inspector/Management Planner (full from 10/30/87).

Project Designer (full from 10/30/87).

Massachusetts Department of Health, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* A & S Training School, Inc.

Address: 99 South Cameron St., Harrisburg, PA 17101, Contact: William I. Roberts, Phone: (717) 257-1360.

(b) *Approved Courses:*

Contractor/Supervisor (Certified 5/4/88).

Contractor/Supervisor Annual Review (Certified 5/4/89).

(ii)(a) *Training Provider:* Abatement Technical Corporation c/o Ecosystems, Inc.

Address: 5 North Meadow Rd., Medfield, MA 02052, Contact: Joseph C. Mohn, Phone: (609) 692-0883.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).
Contractor/Supervisor (Certified 4/28/88).

Inspector/Management Planner (Certified 4/28/88).

Project Designer (Certified 4/28/88).

(iii)(a) *Training Provider:* Asbestos Workers Union Local No. 6.

Address: 1725 Revere Beach Pkwy., Everett, MA 02149, Contact: James P. McCourt, Phone: (617) 387-2679.

(b) *Approved Courses:*

Abatement Worker (Certified 4/25/88).

Abatement Worker Annual Review (Certified 4/25/89).

Contractor/Supervisor (Certified 4/25/88).

Contractor/Supervisor Annual Review (Certified 4/25/89).

(iv)(a) *Training Provider:* Astoria Industries, Inc.

Address: 538 Stewart Ave., Brooklyn, NY 11222, Contact: Gary Dipaolo, Phone: (718) 387-0011.

(b) *Approved Course:*

Abatement Worker (Certified 4/8/88).

(v)(a) *Training Provider:* Astral Environmental Assoc.

Address: 3 Adams Lane, Westford, MA 01886, Contact: Dorothy Young, Phone: (508) 692-2070.

(b) *Approved Course:*

Abatement Worker (Certified 6/5/89).

(vi)(a) *Training Provider:* BCM Engineering.

Address: 12 Alfred St., Suite 300, Woburn, MA 01801, Contact: Pam Evans, Phone: (617) 935-7080.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).

Inspector/Management Planner (Certified 4/28/88).

Project Designer (Certified 4/28/88).

(vii)(a) *Training Provider:* Briggs Associates, Inc.

Address: 400 Hingham St., P.O. Box 369, Rockland, MA 02370, Contact: Paul Skorohod, Phone: (617) 871-8040.

(b) *Approved Course:*

Project Designer (Certified 11/10/88).

(viii)(a) *Training Provider:* Certified Engineering & Testing Co., Inc.

Address: 100 Grossman Dr., Braintree, MA 02184, Contact: Robert Thornburgh, Phone: (617) 849-0111.

(b) *Approved Courses:*

Abatement Worker (Certified 9/26/88).

Abatement Worker Annual Review (Certified 9/26/88).

Contractor/Supervisor (Certified 9/26/88).

Contractor/Supervisor Annual Review (Certified 9/26/88).

Inspector/Management Planner (Certified 9/26/88).

Inspector/Management Annual Review (Certified 9/26/88).

Project Designer (Certified 9/26/88).

(ix)(a) *Training Provider:* Con-Test, Inc.

Address: P.O. Box 591, East Longmeadow, MA 01028, Contact: Brenda Bolduc, Phone: (413) 525-1198.

(b) *Approved Courses:*

Abatement Worker (Certified 2/25/88).

Abatement Worker Annual Review (Certified 2/25/89).

Contractor/Supervisor (Certified 2/25/88).

Contractor/Supervisor Annual Review (Certified 2/25/89).

Inspector/Management Planner (Certified 2/25/88).

Inspector/Management Annual Review (Certified 2/25/89).

Project Designer (Certified 2/25/88).

(x)(a) *Training Provider:* Dennison Environmental, Inc.

Address: 35 Industrial Hwy., Woburn, MA 01880, Contact: Joan Ryan, Phone: (617) 932-9400.

(b) *Approved Courses:*

Abatement Worker (Certified 4/8/88).

Abatement Worker Annual Review (Certified 4/8/89).

Contractor/Supervisor (Certified 4/8/88).

Contractor/Supervisor Annual Review (Certified 4/8/89).

Inspector (Certified 4/8/88).

Inspector/Management Annual Review (Certified 4/8/89).

Project Designer (Certified 4/8/88).

(xi)(a) *Training Provider:*

Environmental Training Corp.

Address: 100 Moody St., Suite 200, Ludlow, MA 01056, Contact: Ann Folta, Phone: (413) 589-1882.

(b) *Approved Courses:*

Abatement Worker (Certified 8/5/88).

Abatement Worker Annual Review (Certified 8/5/89).

Contractor/Supervisor (Certified 8/5/88).

Contractor/Supervisor Annual Review (Certified 8/5/89).

Project Designer (Certified 8/5/88).

(xii)(a) *Training Provider:*

Environmental Training Services.

Address: 62-H Montvale Pl., Stoneham, MA 02180, Contact: Maryann Martin, Phone: (617) 279-0855.

(b) *Approved Courses:*

Abatement Worker (Certified 4/8/88).

Abatement Worker Annual Review (Certified 4/8/89).

Contractor/Supervisor (Certified 4/8/88).

Contractor/Supervisor Annual Review (Certified 4/8/89).

Project Designer (Certified 4/8/88).

Project Designer Annual Review (Certified 4/8/89).

(xiii)(a) *Training Provider:* General Physics Corp.

Address: 6700 Alexander Bell Dr., Columbia, MD 21046, Contact: Andy Marsh, Phone: (301) 290-2300.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 9/6/88).

Contractor/Supervisor (Certified 9/6/88).

Contractor/Supervisor Annual Review (Certified 9/6/88).

Project Designer (Certified 9/6/88).

(xiv)(a) *Training Provider:* Hall-Kimbrell Environmental Services.

Address: P.O. Box 307, Lawrence, KS 66046, Contact: Alice Hart, Phone: (800) 346-2860.

(b) *Approved Courses:*

Abatement Worker (Certified 4/25/88).
Abatement Worker Annual Review (Certified 4/25/88).
Contractor/Supervisor (Certified 4/25/88).
Contractor/Supervisor Annual Review (Certified 4/25/88).
Inspector/Management Planner (Certified 4/25/88).
Inspector/Management Annual Review (Certified 4/25/88).
Project Designer (Certified 4/25/88).
Project Designer Annual Review (Certified 4/25/88).

(xv)(a) *Training Provider:* Harvard School of Public Health.

Address: 677 Huntington Ave., Boston, MA 02115, Contact: William A. Burgass, Phone: (617) 732-1171.

(b) *Approved Courses:*

Contractor/Supervisor (Certified 2/25/88).
Inspector/Management Planner (Certified 2/25/88).
Inspector/Management Annual Review (Certified 5/25/89).
Project Designer (Certified 2/25/88).
Project Designer Annual Review (Certified 5/25/89).

(xvi)(a) *Training Provider:* Hygeia, Inc.

Address: 303 Bear Hill Rd., Waltham, MA 02154, Contact: Cynthia Whalen, Phone: (617) 890-4999.

(b) *Approved Courses:*

Abatement Worker (Certified 8/5/88).
Contractor/Supervisor (Certified 8/5/88).
Project Designer (Certified 8/5/88).

(xvii)(a) *Training Provider:* Hygienetics, Inc.

Address: 150 Causeway St., Boston, MA 02114, Contact: Marybeth Carver, Phone: (617) 723-4664.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 2/25/89).
Contractor/Supervisor (Certified 2/25/89).
Contractor/Supervisor Annual Review (Certified 2/25/89).
Inspector/Management Planner (Certified 2/25/89).
Inspector/Management Annual Review (Certified 2/25/89).
Project Designer (Certified 2/25/89).

(xviii)(a) *Training Provider:* Institute for Environmental Education.

Address: 208 West Cummings Pk., Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-0664.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).
Abatement Worker Annual Review (Certified 5/26/89).
Contractor/Supervisor (Certified 4/28/88).
Contractor/Supervisor Annual Review (Certified 5/26/89).
Inspector/Management Planner (Certified 4/28/88).
Inspector/Management Annual Review (Certified 5/26/89).
Project Designer (Certified 4/28/88).

(xix)(a) *Training Provider:* JF Walton & Co.

Address: 201 Marginal St., P.O. Box 6120, Chelsea, MA 02150, Contact: Richard King, Phone: (617) 884-0350.

(b) *Approved Courses:*

Abatement Worker (Certified 3/28/88).
Abatement Worker Annual Review (Certified 3/28/89).

(xx)(a) *Training Provider:* Kaselaan & D'Angelo Associates.

Address: 500 Victory Rd., Suite 270, North Quincy, MA 02171, Contact: David Kaplan, Phone: (617) 472-1330.

(b) *Approved Courses:*

Abatement Worker (Certified 2/25/88).
Abatement Worker Annual Review (Certified 2/25/89).
Contractor/Supervisor (Certified 2/25/88).
Contractor/Supervisor Annual Review (Certified 2/25/89).
Inspector/Management Planner (Certified 2/25/88).
Inspector/Management Annual Review (Certified 2/25/89).
Project Designer (Certified 2/25/88).

(xxi)(a) *Training Provider:* Mystic Air Quality Consultants.

Address: 1085 Buddington Rd., Groton, CT 06340, Contact: Christopher Eident, Phone: (203) 449-8903.

(b) *Approved Courses:*

Abatement Worker (Certified 1/11/89).
Contractor/Supervisor (Certified 1/11/89).
Contractor/Supervisor Annual Review (Certified 1/11/89).
Project Designer (Certified 1/11/89).

(xxii)(a) *Training Provider:* National Asbestos Training Center of Kansas.

Address: 6600 College Blvd., Overland Park, KS 66211, Contact: Lani Himegarner, Phone: (913) 491-0181.

(b) *Approved Courses:*

Abatement Worker (Certified 5/20/88).
Abatement Worker Annual Review (Certified 5/20/89).
Contractor/Supervisor (Certified 5/20/88).
Contractor/Supervisor Annual Review (Certified 5/20/89).

(xxiii)(a) *Training Provider:* National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW, Washington, DC 20036, Contact: Scott Schneider, Phone: (202) 887-1980.

(b) *Approved Courses:*

Abatement Worker (Certified 5/10/88).
Contractor/Supervisor (Certified 5/10/88).
Contractor/Supervisor Annual Review (Certified 5/10/89).

(xxiv)(a) *Training Provider:* New England Laborers Training Trust Fund.

Address: 37 East St., Hopkinton, MA 01748-2699, Contact: James Merloni, Jr., Phone: (617) 435-6316.

(b) *Approved Courses:*

Abatement Worker (Certified 2/25/88).
Abatement Worker Annual Review (Certified 2/25/89).
Contractor/Supervisor (Certified 2/25/89).

Contractor/Supervisor Annual Review (Certified 8/8/89).

(xxv)(a) *Training Provider:* Northern Asbestos Abatement Co.

Address: 757 A Turnpike St., North Andover, MA 01845, Contact: J. William Vitta, Phone: (508) 681-8711.

(b) *Approved Courses:*

Abatement Worker (Certified 3/18/89).
Abatement Worker Annual Review (Certified 3/18/89).
Contractor/Supervisor (Certified 3/18/89).

Contractor/Supervisor Annual Review (Certified 3/18/89).

Project Designer (Certified 3/18/89).

Project Designer Annual Review (Certified 3/18/89).

(xxvi)(a) *Training Provider:* O'Brien & Gere Engineers, Inc.

Address: 1304 Buckley Rd., Syracuse, NY 13221, Contact: Edwin Tiff, Phone: (315) 451-4700.

(b) *Approved Courses:*

Inspector/Management Planner (Certified 11/7/88).

Project Designer (Certified 11/7/88).

(xxvii)(a) *Training Provider:* Quality Control Services, Inc.

Address: 10 Lowell Junction Rd., Andover, MA 01810, Contact: Ajay Pathak, Phone: (508) 475-0623.

(b) *Approved Courses:*

Abatement Worker (Certified 5/6/88).
Abatement Worker Annual Review (Certified 5/16/89).
Contractor/Supervisor (Certified 5/6/88).
Contractor/Supervisor Annual Review (Certified 5/16/89).

(xxviii)(a) *Training Provider*: Safety Council of Western Massachusetts.
Address: 90 Berkshire Ave., Springfield, MA 01109, Contact: Tate Berkan, Phone: (413) 737-7908.

(b) *Approved Courses*:

Abatement Worker (Certified 6/21/88).
Abatement Worker Annual Review (Certified 6/21/89).
Project Designer (Certified 6/21/88).
Project Designer Annual Review (Certified 6/21/89).

(xxix)(a) *Training Provider*: The Environmental Institute.

Address: 350 Franklin Rd., Suite 300, Marietta, GA 30067, Contact: Bill Ewing, Phone: (404) 425-2000.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 10/28/88).
Contractor/Supervisor Annual Review (Certified 10/28/88).
Inspector/Management Planner (Certified 10/28/88).
Project Designer (Certified 10/28/88).

(xxx)(a) *Training Provider*: Tufts University Asbestos Information Center.
Address: 474 Boston Ave., Medford, MA 02155, Contact: Brenda Cole, Phone: (617) 381-3531.

(b) *Approved Courses*:

Abatement Worker (Certified 3/16/88).
Abatement Worker Annual Review (Certified 3/16/89).
Contractor/Supervisor (Certified 3/16/88).
Contractor/Supervisor Annual Review (Certified 3/16/89).
Inspector/Management Planner (Certified 3/16/88).
Inspector/Management Annual Review (Certified 3/16/89).
Project Designer (Certified 3/16/88).
Project Designer Annual Review (Certified 3/16/89).

(xxxi)(a) *Training Provider*: Universal Engineering Corp.

Address: 100 Boylston St., Boston, MA 02116, Contact: Janet Hester, Phone: (617) 542-8216.

(b) *Approved Courses*:

Project Designer (Certified 8/5/88).
Project Designer Annual Review (Certified 8/5/89).

(xxxii)(a) *Training Provider*: University of Massachusetts, Division of Environmental Health & Safety.

Address: N414 Morrill Science Center, Amherst, MA 01003, Contact: Donald Robinson, Phone: (413) 545-2682.

(b) *Approved Courses*:

Project Designer (Certified 10/3/88).
Project Designer Annual Review (Certified 10/3/88).

(xxxiii)(a) *Training Provider*: Weston-Atc, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Ron Thompson, Phone: (205) 826-6100.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 5/25/89).
Contractor/Supervisor Annual Review (Certified 5/25/89).
Inspector/Management Planner (Certified 5/25/89).
Inspector/Management Annual Review (Certified 5/25/89).
Project Designer (Certified 5/25/89).
Project Designer Annual Review (Certified 5/25/89).

(9)(a) *State*: Michigan.

State Agency: State of Michigan Dept. of Public Health, Address: 3500 North Logan, P.O. Box 30035, Lansing, MI 48909, Contact: Bill DeLiefde, Phone: (517) 335-8186.

(b) *Approved Accreditation Program*

Disciplines:

Abatement Worker (full from 4/13/89).
Contractor/Supervisor (full from 4/13/89).
Inspector (full from 4/13/89).
Inspector/Management Planner (full from 4/13/89).
Project Designer (full from 4/13/89).

Michigan Department of Public Health, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider*: Alderink & Associates, Inc.

Address: 3221 3 Miles Rd. N.W., Grand Rapids, MI 49504, Contact: David Lutheuhoff, Phone: (616) 791-0730.

(b) *Approved Courses*:

Abatement Worker (Certified 11/28/89).
Abatement Worker Annual Review (Certified 11/28/89).
Contractor/Supervisor (Certified 11/28/89).

Contractor/Supervisor Annual Review (Certified 11/28/89).

(ii)(a) *Training Provider*: Asbestos Management, Inc.

Address: 36700 S. Huron Rd., New Boston, MI 48164, Contact: LaDonna Slifco, Phone: (313) 961-6135.

(b) *Approved Courses*:

Abatement Worker (Certified 12/20/89).
Abatement Worker Annual Review (Certified 12/20/89).
Contractor/Supervisor (Certified 12/20/89).
Contractor/Supervisor Annual Review (Certified 12/20/89).
Inspector/Management Planner (Certified 12/20/89).
Inspector/Management Annual Review (Certified 12/20/89).

(iii)(a) *Training Provider*: BDN Industrial Hygiene Consultants.

Address: 8105 Valleywood Ln., Portage, MI 49002, Contact: Brent Bassett, Phone: (616) 329-1237.

(b) *Approved Courses*:

Abatement Worker (Certified 11/13/89).
Abatement Worker Annual Review (Certified 11/13/89).
Contractor/Supervisor (Certified 11/13/89).
Contractor/Supervisor Annual Review (Certified 11/13/89).
Inspector/Management Planner (Certified 12/14/89).

(iv)(a) *Training Provider*: Barton Associates.

Address: 1265 Westport Rd., Ann Arbor, MI 48103, Contact: Sara Bassett, Phone: (313) 665-3681.

(b) *Approved Course*:

Contractor/Supervisor (Certified 9/18/89).

(v)(a) *Training Provider*: Bierlein Demolition.

Address: 2903 S. Graham Rd., Saginaw, MI 48603, Contact: Ramond E. Passeno, Phone: (517) 781-1810.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 11/20/89).
Contractor/Supervisor Annual Review (Certified 11/20/89).

(vi)(a) *Training Provider*: DeLisle Associates, LTD.

Address: 6946 East N. Ave., Kalamazoo, MI 49001, Contact: Mark DeLisle, Phone: (616) 385-1018.

(b) *Approved Courses*:

Abatement Worker (Certified 12/12/89).
Abatement Worker Annual Review (Certified 12/12/89).
Contractor/Supervisor (Certified 12/12/89).

Contractor/Supervisor Annual Review (Certified 12/12/89).

Inspector/Management Planner (Certified 12/12/89).

Inspector/Management Annual Review (Certified 12/12/89).

(vii)(a) *Training Provider*: EMU Corporate Services.

Address: 3075 Washtenaw Ave., Ypsilanti, MI 48197, Contact: Bertrand Ramsay, Phone: (313) 487-2259.

(b) *Approved Courses*:

Abatement Worker (Certified 1/5/90).
Abatement Worker Annual Review (Certified 11/1/89).
Contractor/Supervisor (Certified 1/5/90).
Contractor/Supervisor Annual Review (Certified 1/5/90).

Inspector/Management Planner
(Certified 1/5/90).
Inspector/Management Annual Review
(Certified 1/5/90).

(viii)(a) *Training Provider*: ENTELA Engineering Service.

Address: 4020 W. River Dr., Comstock Park, MI 49321, Contact: Bruce H. Connell, Phone: (616) 784-7774.

(b) *Approved Courses*:

Abatement Worker (Certified 9/26/89).
Abatement Worker Annual Review
(Certified 12/14/89).

Contractor/Supervisor (Certified 9/26/89).

Contractor/Supervisor Annual Review
(Certified 12/14/89).

(ix)(a) *Training Provider*: Envir. & Occ. Consult. & Trng.

Address: 3410 East Cork Street, Kalamazoo, MI 49001, Contact: A. Clark Kahn, Phone: (616) 388-6085.

(b) *Approved Courses*:

Abatement Worker (Certified 11/14/89).
Abatement Worker Annual Review
(Certified 11/14/89).

Contractor/Supervisor (Certified 11/14/89).

Contractor/Supervisor Annual Review
(Certified 11/14/89).

(x)(a) *Training Provider*: Fibertec Inc.

Address: 700 Abbott Rd., East Lansing, MI 48823, Contact: Matthew H. Frisch, Phone: (517) 351-0345.

(b) *Approved Course*:

Contractor/Supervisor (Certified 10/4/89).

(xi)(a) *Training Provider*: G & H Contracting Assoc.

Address: 300 Acron St., Plainwell, MI 49080, Contact: William Martin, Phone: (616) 685-1606.

(b) *Approved Courses*:

Abatement Worker (Certified 12/20/89).
Contractor/Supervisor (Certified 12/20/89).

(xii)(a) *Training Provider*: Industrial Environmental Consulting.

Address: 2875 Northwind, E. Lansing, MI 48823, Contact: Michael Tillotson, Phone: (517) 332-7026.

(b) *Approved Courses*:

Abatement Worker (Certified 1/2/90).
Abatement Worker Annual Review
(Certified 1/2/90).

Contractor/Supervisor (Certified 1/2/90).

Contractor/Supervisor Annual Review
(Certified 1/2/90).

Inspector/Management Planner
(Certified 1/2/90).

Inspector/Management Annual Review
(Certified 1/2/90).

(xiii)(a) *Training Provider*: Jensen Environmental & Training.

Address: 651 Fisher Rd., Grosse Pointe, MI 48230, Contact: Leonard L. Jensen, Phone: (313) 882-2021.

(b) *Approved Courses*:

Abatement Worker Annual Review
(Certified 8/25/89).

Contractor/Supervisor Annual Review
(Certified 8/25/89).

(xiv)(a) *Training Provider*: Manage Right Asbestos.

Address: 314 W. Genesee Ave., Saginaw, MI 48602, Contact: Mary Margaret Brown, Phone: (517) 753-9290.

(b) *Approved Courses*:

Abatement Worker (Certified 1/2/90).
Contractor/Supervisor (Certified 1/2/90).

(xv)(a) *Training Provider*: Michigan Laborers' Training.

Address: 11155 S. Beardslee Rd., Perry, MI 48872, Contact: Edwin H. McDonald, Phone: (517) 625-4919.

(b) *Approved Courses*:

Abatement Worker (Certified 9/12/89).
Abatement Worker Annual Review
(Certified 9/12/89).

Contractor/Supervisor (Certified 9/12/89).

Contractor/Supervisor Annual Review
(Certified 9/12/89).

(xvi)(a) *Training Provider*: Nova Environmental, Inc.

Address: 5340 Plymouth Rd., Suite 210, Ann Arbor, MI 48105, Contact: Kary S. Amin, Phone: (313) 930-0995.

(b) *Approved Courses*:

Contractor/Supervisor Annual Review
(Certified 1/2/90).

Inspector/Management Annual Review
(Certified 12/14/89).

(xvii)(a) *Training Provider*: SE MI Coalition on Occ Safety.

Address: 2727 Second Ave., Detroit, MI 48201, Contact: Barbara Boylan, Phone: (313) 961-3345.

(b) *Approved Courses*:

Abatement Worker (Certified 11/28/89).
Abatement Worker Annual Review
(Certified 11/28/89).

(xviii)(a) *Training Provider*: Sierra Analytical & Consulting.

Address: 307 N. First St., Ann Arbor, MI 48103, Contact: David Green, Phone: (313) 662-1155.

(b) *Approved Course*:

Contractor/Supervisor (Certified 12/18/89).

(xix)(a) *Training Provider*: Summit Abatement Contracting.

Address: 7255 Tower Rd., Battle Creek, MI 49017, Contact: William Morris, Phone: (616) 968-4242.

(b) *Approved Courses*:

Abatement Worker (Certified 11/22/89).
Abatement Worker Annual Review
(Certified 11/22/89).

Contractor/Supervisor (Certified 11/22/89).

Contractor/Supervisor Annual Review
(Certified 11/22/89).

(xx)(a) *Training Provider*: Testing Engineers & Consultants.

Address: 1333 Rochester Rd., Troy, MI 48099, Contact: Karen Brunch, Phone: (313) 588-6200.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 12/1/89).

Inspector/Management Planner
(Certified 11/13/89).

Inspector/Management Annual Review
(Certified 11/13/89).

(xxi)(a) *Training Provider*: Trust Thermal Systems.

Address: 13109 Schavey Rd., Suite 2 Dewitt, Dewitt, MI 48820, Contact: Thomas J. Lowe, Phone: (517) 669-8834.

(b) *Approved Courses*:

Abatement Worker (Certified 1/8/90).
Abatement Worker Annual Review
(Certified 1/8/90).

Contractor/Supervisor (Certified 1/8/90).

Contractor/Supervisor Annual Review
(Certified 1/8/90).

(xxii)(a) *Training Provider*: Wonder Makers, Inc.

Address: 3101 Darmo, Kalamazoo, MI 49008, Contact: Michael Printo, Phone: (616) 382-4154.

(b) *Approved Courses*:

Abatement Worker (Certified 11/20/89).
Abatement Worker Annual Review
(Certified 11/20/89).

Contractor/Supervisor (Certified 11/20/89).

Contractor/Supervisor Annual Review
(Certified 11/20/89).

Inspector/Management Planner
(Certified 11/20/89).

Inspector/Management Annual Review
(Certified 11/20/89).

(10)(a) *State*: Minnesota.

State Agency: Minnesota Dept. of Health Division of Environmental Health Section of Occupational Health, Address: 717 Southeast Delaware St., P.O. Box 59040, Minneapolis, MN 55459-0040, Contact: William A. Fetzner, Phone: (612) 623-5380.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 10/3/88).
Contractor/Supervisor (full from 10/3/88).

*Minnesota Department of Health,
Division of Environmental Health,
Section of Occupational Health, EPA-
Approved Courses for Abatement
Workers and Contractors/Supervisors*

(i)(a) *Training Provider:* Institute for Environmental Assessment, Inc.

Address: 2829 Ferndale Ave., Anoka, MN 55303, Contact: Jesse Lee, Phone: (612) 427-7870.

(b) *Approved Courses:*

Abatement Worker (Certified 11/12/89).

Abatement Worker Annual Review (Certified 11/12/89).

Contractor/Supervisor (Certified 11/12/89).

Contractor/Supervisor Annual Review (Certified 11/12/89).

(ii)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local No. 34.

Address: 708 South 10th St., Minneapolis, MN 55404, Contact: Lee Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (Certified 11/2/89).

Abatement Worker Annual Review (Certified 6/27/89).

Contractor/Supervisor (Certified 11/2/89).

Contractor/Supervisor Annual Review (Certified 6/27/89).

(iii)(a) *Training Provider:* McNeil Environmental, Inc.

Address: 755 East Cliff Rd., Burnsville, MN 55337, Contact: Philip Allmon, Phone: (612) 890-3452.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 10/22/89).

Contractor/Supervisor Annual Review (Certified 10/22/89).

(iv)(a) *Training Provider:* Midwest Center for Occupational Health & Safety.

Address: 640 Jackson St., St. Paul, MN 55101, Contact: Jeanne F. Ayers, Phone: (612) 221-3992.

(b) *Approved Course:*

Contractor/Supervisor Annual Review (Certified 11/14/89).

(v)(a) *Training Provider:* Nova Environmental Services, Inc.

Address: Suite 420, Hazeltine Gates, 1107 Hazeltine Blvd., Chaska, MN 55318, Contact: Deborah S. Green, Phone: (612) 448-9393.

(b) *Approved Courses:*

Abatement Worker (Certified 11/20/89).

Abatement Worker Annual Review (Certified 11/20/89).

Contractor/Supervisor (Certified 11/20/89).

Contractor/Supervisor Annual Review (Certified 11/20/89).

(vi)(a) *Training Provider:* Southwest Technical College.

Address: Continuing Education, SW State University, FT 103, Marshall, MN 53103, Contact: Carole Treadway, Phone: (507) 537-7396.

(b) *Approved Courses:*

Abatement Worker (Certified 4/27/89).

Contractor/Supervisor (Certified 4/27/89).

(vii)(a) *Training Provider:* Twin City Area Carpenter's Joint Apprenticeship Committee/United Brotherhood of Carpenters & Joiners.

Address: 2203 County Rd. C2, Roseville, MN 55113, Contact: Gerald W. Setterholm, Phone: (612) 633-8096.

(b) *Approved Courses:*

Abatement Worker (Certified 6/14/89).

Contractor/Supervisor (Certified 6/14/89).

(11)(a) *State:* New Jersey.

State Agency: State of New Jersey Dept. of Health, Address: CN 360, Trenton, NJ 08625-0360, Contact: James A. Brownlee, Phone: (609) 984-2193.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 6/18/85).

Contractor/Supervisor (full from 6/18/85).

*New Jersey Department of Health, EPA-
Approved Courses for Abatement
Workers and Contractors/Supervisors*

*NOTE.—New Jersey-approved course providers who present the training in another State must develop their own examination. They must also submit a detailed statement about the development of the course examination, as required by the Model Plan, to the Regional Asbestos Coordinator in their Region for EPA approval.

(i)(a) *Training Provider:* A & S Training School.

Address: 99 South Cameron St., Harrisburg, PA 17101, Contact: Williams Roberts/Robyn Brunson, Phone: (800) 526-0890.

(b) *Approved Courses:*

Abatement Worker (Certified 5/20/85).

Contractor/Supervisor (Certified 5/20/85).

(ii)(a) *Training Provider:* Alternative Ways, Inc.

Address: Barclay Pavilion East, Suite 222, Rte. 70, Cherry Hill, NJ 08034, Contact: James Mitchell or Linda Pardi, Phone: (609) 795-1991.

(b) *Approved Courses:*

Abatement Worker (Certified 4/25/85).

Contractor/Supervisor (Certified 4/25/85).

(iii)(a) *Training Provider:* Asbestos Abatement Council, AWCI.

Address: 1600 Cameron St., Alexandria, VA 22314-2705, Contact: Carol Pacquin, Phone: (703) 684-2924.

(b) *Approved Courses:*

Abatement Worker (Certified 6/17/87 to 9/28/89 only).

Contractor/Supervisor (Certified 6/17/87 to 9/28/89 only).

(iv)(a) *Training Provider:* Asbestos Training Academy—NJ.

Address: 218 Cooper Center, Pennsauken, NJ 08109, Contact: Steve Sieracki/Elaine Alonzo, Phone: (609) 488-9200.

(b) *Approved Courses:*

Abatement Worker (Certified 5/1/85).

Contractor/Supervisor (Certified 5/1/85).

(v)(a) *Training Provider:* Asbestos Training Academy—NY.

Address: 315 West 36th St., 9th Fl., New York, NY 10018, Contact: Richard Green/Charlotte Hicks, Phone: (212) 971-0370.

(b) *Approved Courses:*

Abatement Worker (Certified 9/20/88).

Contractor/Supervisor (Certified 9/20/88).

(vi)(a) *Training Provider:* Asbestos Training Institute LVI, Inc.

Address: 64 South State St., South Hackensack, NJ 07606, Contact: Roger Bason, Phone: (201) 343-5133.

(b) *Approved Courses:*

Abatement Worker (Certified 3/4/87 to 9/13/89 only).

Contractor/Supervisor (Certified 3/4/87 to 9/13/89 only).

(vii)(a) *Training Provider:* BCN Eqstern, Inc.

Address: One Plymouth Meeting Mall, Plymouth Meeting, PA 19462, Contact: R. Ferguson or C. Sterchak, Phone: (215) 825-3800.

(b) *Approved Courses:*

Abatement Worker (Certified 6/7/87 to 9/29/89 only).

Contractor/Supervisor (Certified 6/7/87 to 9/29/89 only).

(viii)(a) *Training Provider:* Building Laborers of N.J.—Training Center.

Address: P.O. Box 163, Jamesburg, NJ 08831, Contact: Emmanuel Riggi/Pat Collura, Phone: (201) 521-0200.

(b) *Approved Courses:*

Abatement Worker (Certified 7/19/85).

Abatement Worker Annual Review (Certified 12/5/89).

Contractor/Supervisor (Certified 7/19/85).

Contractor/Supervisor Annual Review (Certified 12/5/89).

- (ix)(a) *Training Provider*: Certified Abatement Technologies, Inc.
Address: 47 Midland Ave., Elmwood Park, NJ 07407, Contact: Daniel Curtin/Denise Timmerman, Phone: (201) 796-9589.
(b) *Approved Courses*:
Abatement Worker (Certified 6/3/87).
Contractor/Supervisor (Certified 6/3/87).
- (x)(a) *Training Provider*: Drexel University.
Address: 32nd & Chestnut Sts., Philadelphia, PA 19104, Contact: Robert Ross, Phone: (215) 895-2156.
(b) *Approved Courses*:
Abatement Worker (Certified 4/13/88).
Contractor/Supervisor (Certified 4/13/88).
- (xi)(a) *Training Provider*: E.I. DuPont DeNemours & Co.
Address: Chamber Works, Deepwater, NJ 08023, Contact: Charles Battle, Phone: (609) 540-2434.
(b) *Approved Courses*:
Abatement Worker (Certified 5/1/86).
Abatement Worker Annual Review (Certified 6/12/89).
Contractor/Supervisor (Certified 5/1/86).
Contractor/Supervisor Annual Review (Certified 6/12/89).
- (xii)(a) *Training Provider*: IT Corporation.
Address: 17461 Derian Ave., Suite 190, Irvine, CA 92714, Contact: Keith Soesbe, Phone: (714) 261-6441.
(b) *Approved Courses*:
Abatement Worker (Certified 8/29/85).
Contractor/Supervisor (Certified 8/29/85).
- (xiii)(a) *Training Provider*: Kaselaan & D'Angelo Associates—NJ.
Address: 515 Grove St., Haddon Heights, NJ 08035, Contact: Steven L'Erario, Phone: (609) 547-6500.
(b) *Approved Courses*:
Abatement Worker (Certified 5/8/85).
Abatement Worker Annual Review (Certified 12/5/89).
Contractor/Supervisor (Certified 5/8/85).
Contractor/Supervisor Annual Review (Certified 12/5/89).
- (xiv)(a) *Training Provider*: Kaselaan & D'Angelo Associates—NY.
Address: 220 5th Ave, 17th Floor, New York, NY 10001, Contact: L. Fredericks/M. Cox-Abdalla, Phone: (212) 218-6340.
(b) *Approved Courses*:
Abatement Worker (Certified 8/28/89).
Contractor/Supervisor (Certified 8/28/89).
- (xv)(a) *Training Provider*: Local Union No. 14.
Address: 6513 Bustleton Ave., Philadelphia, PA 19149, Contact: James Aikens/Lewis Fitzgerald, Phone: (215) 533-0395.
(b) *Approved Courses*:
Abatement Worker (Certified 8/9/85).
Abatement Worker Annual Review (Certified 11/1/89).
Contractor/Supervisor (Certified 8/9/85).
Contractor/Supervisor Annual Review (Certified 11/1/89).
- (xvi)(a) *Training Provider*: Local Union No. 32.
Address: 870 Broadway, Newark, NJ 07104, Contact: Paul Iehmini/John Dwyer, Phone: (201) 485-3626.
(b) *Approved Courses*:
Abatement Worker (Certified 5/8/87).
Abatement Worker Annual Review (Certified 8/14/89).
Contractor/Supervisor (Certified 5/8/87).
Contractor/Supervisor Annual Review (Certified 8/14/89).
- (xvii)(a) *Training Provider*: Local Union No. 42.
Address: 1188 River Rd., New Castle, DE 19720, Contact: Joseph Noble, Phone: (302) 328-4203.
(b) *Approved Courses*:
Abatement Worker (Certified 10/30/85).
Contractor/Supervisor (Certified 10/30/85).
- (xviii)(a) *Training Provider*: Local Union No. 89.
Address: 2733 Nottingham Way, Trenton, NJ 08619, Contact: Charles DaBronzo/John DaBronzo, Phone: (609) 587-0092.
(b) *Approved Courses*:
Abatement Worker (Certified 5/13/86).
Abatement Worker Annual Review (Certified 11/27/89).
Contractor/Supervisor (Certified 5/13/86).
Contractor/Supervisor Annual Review (Certified 11/27/89).
- (xix)(a) *Training Provider*: Mid-Atlantic Asbestos Training Center UMDNJ.
Address: 675 Hoes Ln., Piscataway, NJ 08854, Contact: Lee Laustsen/Doris Daneluk, Phone: (201) 483-4500.
(b) *Approved Courses*:
Abatement Worker (Certified 7/1/86).
Contractor/Supervisor (Certified 7/1/86).
- (xx)(a) *Training Provider*: NDI Training Institute.
Address: 7112 Airport Highway, Pennsauken, NJ 08109, Contact: J. Rodney Walton/John O'Brien, Phone: (609) 663-5042.
(b) *Approved Courses*:
Abatement Worker (Certified 9/13/86).
Contractor/Supervisor (Certified 9/13/86).
- (xxi)(a) *Training Provider*: National Asbestos Council (NAC) Training Dept.
Address: 1777 Northeast Expressway, Suite 150, Atlanta, GA 30329, Contact: T. Laubenthal or V. Cornwell, Phone: (404) 633-2622.
(b) *Approved Courses*:
Abatement Worker (Certified 1/13/87).
Contractor/Supervisor (Certified 1/13/87).
- (xxii)(a) *Training Provider*: National Asbestos Training Institute.
Address: 1776 Bloomsbury Ave., Ocean, NJ 07712, Contact: Doris Adler or Lisa Criscuolo, Phone: (201) 918-0610.
(b) *Approved Courses*:
Abatement Worker (Certified 5/3/85).
Abatement Worker Annual Review (Certified 8/14/89).
Contractor/Supervisor (Certified 5/3/85).
Contractor/Supervisor Annual Review (Certified 8/14/89).
- (xxiii)(a) *Training Provider*: National Institute on Abatement Sciences and Technology.
Address: 114 West State St., P.O. Box 1780, Trenton, NJ 08607, Contact: Glenn Phillips, Phone: (800) 422-2836.
(b) *Approved Courses*:
Abatement Worker (Certified 1/16/88 to 6/22/89 only).
Contractor/Supervisor (Certified 1/16/88 to 6/22/89 only).
- (xxiv)(a) *Training Provider*: National Training Fund/Workers Institute for Safety & Health (WISH).
Address: 1126 16th St., NW, Washington, DC 20036, Contact: Scott Schneider, Phone: (202) 887-1980.
(b) *Approved Courses*:
Abatement Worker (Certified 3/31/89).
Contractor/Supervisor (Certified 3/31/89).
- (xxv)(a) *Training Provider*: Northeastern Analytical.
Address: 4 Stow Rd., Marlton, NJ 08053, Contact: R. Holwitt/M. Dutkiewicz, Phone: (609) 985-8000.
(b) *Approved Courses*:
Abatement Worker (Certified 5/20/85).
Abatement Worker Annual Review (Certified 6/30/89).
Contractor/Supervisor (Certified 5/20/85).
Contractor/Supervisor Annual Review (Certified 6/30/89).

(xxvi)(a) *Training Provider*: Princeton Testing Laboratory.

Address: 3490 U.S. Rte. 1, Princeton, NJ 08540-3108, Contact: Charles Schneekloth, Phone: (609) 452-9050.

(b) *Approved Courses*:

Abatement Worker (Certified 5/8/85).

Abatement Worker Annual Review (Certified 6/14/89).

Contractor/Supervisor (Certified 5/8/85).

Contractor/Supervisor Annual Review (Certified 6/14/89).

(xxvii)(a) *Training Provider*: Temple University.

Address: 12th & Norris St., Philadelphia, PA 19122, Contact: Melvin Benarde/Lester Levin, Phone: (215) 787-6394.

(b) *Approved Courses*:

Abatement Worker (Certified 11/24/87).

Contractor/Supervisor (Certified 11/24/87).

(xxviii)(a) *Training Provider*: White Lung Association—NJ.

Address: 901 Broad St., 2nd Floor, Newark, NJ 07102, Contact: A. Legoretta/C. Anderson, Phone: (201) 824-2623.

(b) *Approved Courses*:

Abatement Worker (Certified 5/21/85).

Contractor/Supervisor (Certified 5/21/85).

(xxix)(a) *Training Provider*: White Lung Association—NY.

Address: 12 Warren St., 4th Floor, New York, NY 10007, Contact: Nelson Helu/Barbara Zeluck, Phone: (212) 619-2270.

(b) *Approved Courses*:

Abatement Worker (Certified 9/21/88 to 12/21/89 only).

Contractor/Supervisor (Certified 9/28/88 to 12/21/89 only).

(12)(a) *State*: North Dakota.

State Agency: State Dept. of Health & Consolidated Laboratories, Address: 1200 Missouri Ave., Box 5520, Bismark, ND 58505, Contact: Ken Wangler, Phone: (701) 224-2348.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 4/21/89).

Contractor/Supervisor (full from 4/21/89).

Inspector (full from 4/21/89).

Inspector/Management Planner (full from 4/21/89).

Project Designer (full from 4/21/89).

North Dakota State Department of Health and Consolidated Laboratories, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider*: Midwest Asbestos Consultants, Inc.

Address: Box 1708, Fargo, ND 58107, Contact: Jerry Day, Phone: (701) 280-2286.

(b) *Approved Courses*:

Abatement Worker (Certified 6/30/89).

Abatement Worker Annual Review (Certified 7/31/89).

(ii)(a) *Training Provider*: Survey Management and Design.

Address: R.R. 2 Box 85-B, Fargo, ND 58102, Contact: Dave Sohm, Phone: (701) 234-9556.

(b) *Approved Courses*:

Abatement Worker (Certified 6/13/89).

Abatement Worker Annual Review (Certified 1/5/90).

Contractor/Supervisor (Certified 6/13/89).

Contractor/Supervisor Annual Review (Certified 8/10/89).

Inspector/Management Planner (Certified 9/14/89).

(iii)(a) *Training Provider*: University of North Dakota.

Address: University Station, Grand Forks, ND 58201, Contact: Dale Patrick, Phone: (701) 777-3341.

(b) *Approved Courses*:

Abatement Worker (Certified 6/13/89).

Contractor/Supervisor (Certified 6/13/89).

(13)(a) *State*: Oregon.

State Agency: State of Oregon Dept. of Environmental Quality, Address: 811 Southwest Sixth Ave., Portland, OR 97204-1390, Contact: Bruce E. Arnold, Phone: (503) 229-5506.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 9/23/88).

Contractor/Supervisor (full from 9/23/88).

Oregon Department of Environmental Quality, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider*: Asbestos Training Project Workplace Resources.

Address: P.O. Box 11053, Eugene, OR 97440, Contact: Wendy Wiles, Phone: (503) 345-7393.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).

Contractor/Supervisor (Certified 9/23/89).

(ii)(a) *Training Provider*: Hall-Kimbrell Environmental Services.

Address: 5319 Southwest Westgate, Suite 239, Portland, OR 97221, Contact: Kelly Champion, Phone: (503) 292-9406.

(b) *Approved Courses*:

Abatement Worker (Certified 12/28/88).

Contractor/Supervisor (Certified 9/7/89).

(iii)(a) *Training Provider*: Hazcon, Inc.

Address: 9500 Southwest Barbur, Portland, OR 97219, Contact: Tom Natsch, Phone: (503) 244-8045.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).

Contractor/Supervisor (Certified 9/23/88).

(iv)(a) *Training Provider*: Laborers/AGC Apprenticeship & Training Program.

Address: Route 5, Box 325A, Corvallis, OR 97330, Contact: Bill Duke, Phone: (503) 745-5513.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).

Contractor/Supervisor (Certified 9/23/88).

(v)(a) *Training Provider*: Marine & Environmental Testing, Inc.

Address: P.O. Box 1142, Beaverton, OR 97075, Contact: Martin Finkel, Phone: (503) 286-2950.

(b) *Approved Course*:

Abatement Worker (Certified 12/3/88 to 9/18/89 only).

(vi)(a) *Training Provider*: NAC Corporation.

Address: 1005 NW Galveston, Suite E, Bend, OR 97701, Contact: Dale Schmidt, Phone: (503) 389-9727.

(b) *Approved Course*:

Abatement Worker (Certified 3/23/89).

(vii)(a) *Training Provider*: Northwest Envirocon, Inc.

Address: P.O. Box 169, Washougal, WA 98671, Contact: Jack Tenhonen, Phone: (206) 835-8576.

(b) *Approved Courses*:

Abatement Worker (Certified 12/14/88).

Contractor/Supervisor (Certified 12/14/88).

(14)(a) *State*: Rhode Island.

State Agency: State of Rhode Island & Providence Plantations, Department of Health, Address: 206 Cannon Bldg., Three Capitol Hill, Providence, RI 02908, Contact: William Dundulis, Jr., Phone: (401) 277-3601.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 2/4/86).

Contractor/Supervisor (full from 2/4/86).

*Rhode Island Department of Health,
EPA-Approved Courses for Abatement
Workers and Contractors/Supervisors*

(i)(a) *Training Provider:* A & S
Training School, Inc.

Address: 99 South Cameron St.,
Harrisburg, PA 17101, Contact:
William I. Roberts, Phone: (717) 257-
1360.

(b) *Approved Course:*

Contractor/Supervisor (Certified 3/31/
89).

(ii)(a) *Training Provider:* Analytical
Testing Services, Inc.

Address: 180 Weeden St., Pawtucket, RI
02860, Contact: Robert Weisberg,
Phone: (401) 723-7978.

(b) *Approved Courses:*

Abatement Worker Annual Review
(Certified 12/10/86).

Contractor/Supervisor Annual Review
(Certified 12/10/86).

Initial Supervisor 6 Hour Supplement
(Certified 1/24/89).

(iii)(a) *Training Provider:* Asbestos
Consulting & Training Systems.

Address: 903 NW 6th Avenue, Fort
Lauderdale, FL 33311, Contact: James
F. Stump, Phone: (305) 524-7208.

(b) *Approved Course:*

Abatement Worker (Certified 11/21/89).

(iv)(a) *Training Provider:* Center for
Environmental Management-Tufts
University.

Address: 474 Boston Ave., Medford, MA
02155, Contact: Brenda Cole, Phone:
(617) 381-3531.

(b) *Approved Courses:*

Abatement Worker (Certified 7/1/86).

Abatement Worker Annual Review
(Certified 3/31/89).

Contractor/Supervisor (Certified 7/1/
86).

Contractor/Supervisor Annual Review
(Certified 3/31/89).

(v)(a) *Training Provider:* Certified
Engineering & Testing Co., Inc.

Address: 100 Grossman Dr., Braintree,
MA 02184, Contact: Robert
Thornburgh, Phone: (617) 849-0111.

(b) *Approved Courses:*

Abatement Worker (Certified 8/22/89).

Abatement Worker Annual Review
(Certified 8/22/89).

Contractor/Supervisor (Certified 8/22/
89).

Contractor/Supervisor Annual Review
(Certified 8/22/89).

(vi)(a) *Training Provider:* Community
College of Rhode Island.

Address: 1762 Louisquisset Pk., Lincoln,
RI 02865, Contact: Richard Tessler,
Phone: (401) 333-7166.

(b) *Approved Courses:*

Abatement Worker (Certified 11/13/87).

Abatement Worker Annual Review
(Certified 3/31/89).

Contractor/Supervisor Annual Review
(Certified 3/31/89).

Initial Supervisor 6 Hour Supplement
(Certified 1/1/90).

(vii)(a) *Training Provider:* Con-Test
Educational Center.

Address: 39 Spruce St., East
Longmeadow, MA 01028, Contact:
Brenda Bolduc, Phone: (413) 525-1198.

(b) *Approved Courses:*

Abatement Worker (Certified 3/1/86).

Abatement Worker Annual Review
(Certified 2/8/89).

Contractor/Supervisor (Certified 3/1/
86).

Contractor/Supervisor Annual Review
(Certified 2/8/89).

(viii)(a) *Training Provider:* Dennison
Environmental, Inc.

Address: 74 Commerce Way, Woburn,
MA 01801, Contact: Joan Lion, Phone:
(617) 932-9400.

(b) *Approved Courses:*

Abatement Worker (Certified 4/30/89).

Abatement Worker Annual Review
(Certified 4/30/89).

Contractor/Supervisor (Certified 4/30/
89).

Contractor/Supervisor Annual Review
(Certified 4/30/89).

Initial Supervisor 6 Hour Supplement
(Certification Pending).

(ix)(a) *Training Provider:* Environmed
Services, Inc.

Address: 25 Science Park, New Haven,
CT 06511, Contact: George Giacco, Jr.,
Phone: (203) 786-5580.

(b) *Approved Courses:*

Abatement Worker (Certified 9/28/89).

Contractor/Supervisor (Certified 9/28/
89).

(x)(a) *Training Provider:*

Environmental Training Services.

Address: 62—H Montvale Pl., Stoneham,
MA 02180, Contact: Maryann Martin,
Phone: (617) 279-0855.

(b) *Approved Courses:*

Abatement Worker (Certification
Pending).

Abatement Worker Annual Review
(Certification Pending).

Contractor/Supervisor (Certification
Pending).

Contractor/Supervisor Annual Review
(Certification Pending).

Initial Supervisor 6 Hour Supplement
(Certification Pending).

(xi)(a) *Training Provider:* Georgia
Institute of Technology/GTRI.

Address: 151 6th St., Atlanta, GA 30332,
Contact: Mark Demyanek, Phone:
(404) 894-3306.

(b) *Approved Courses:*

Abatement Worker (Certified 7/22/88).

Abatement Worker Annual Review
(Certified 2/14/89).

Contractor/Supervisor (Certified 7/22/
88).

Contractor/Supervisor Annual Review
(Certified 2/14/89).

(xii)(a) *Training Provider:* Harvard
School of Public Health.

Address: 677 Huntington Ave., Boston,
MA 02115, Contact: Louis
DiBerardinis, Phone: (617) 732-1171.

(b) *Approved Courses:*

Abatement Worker (Certification
Pending).

Contractor/Supervisor (Certification
Pending).

(xiii)(a) *Training Provider:* Heat &
Frost Insulation Union Local No. 6.

Address: 56 Roland St., Boston, MA
02129, Contact: Anthony Pistorino,
Phone: (617) 625-6666.

(b) *Approved Courses:*

Abatement Worker (Certified 3/2/89).

Contractor/Supervisor (Certified 3/2/
89).

(xiv)(a) *Training Provider:* Hygeia,
Inc.

Address: 303 Bear Hill Rd., Waltham,
MA 02154, Contact: Cynthia Whalen,
Phone: (617) 890-4999.

(b) *Approved Course:*

Abatement Worker (Certified 1/31/89).

(xv)(a) *Training Provider:*
Hygienetics, Inc.

Address: 150 Causeway St., Boston, MA
02114, Contact: Russell Matthews,
Phone: (617) 723-4664.

(b) *Approved Courses:*

Abatement Worker (Certified 5/10/89).

Abatement Worker Annual Review
(Certified 5/10/89).

Contractor/Supervisor (Certified 5/10/
89).

Contractor/Supervisor Annual Review
(Certified 5/10/89).

(xvi)(a) *Training Provider:* Institute
for Environmental Education.

Address: 208 West Cummings Pk.,
Woburn, MA 01801, Contact: Lisa
Stammer, Phone: (617) 935-7370.

(b) *Approved Courses:*

Abatement Worker (Certified 9/9/87).

Abatement Worker Annual Review
(Certified 5/8/89).

Contractor/Supervisor (Certified 9/9/
87).

Contractor/Supervisor Annual Review
(Certified 5/8/89).

(xvii)(a) *Training Provider:* Mystic Air
Quality Consultants.

Address: 1085 Buddington Rd., Groton, CT 06340, Contact: Christopher Eident, Phone: (203) 448-8903.

(b) *Approved Course:*

Contractor/Supervisor (Certified 1/31/89).

(xviii)(a) *Training Provider:* NAACO.

Address: 790 Turnpike St., North Andover, MA 01845, Contact: Martin Levitt, Phone: (508) 681-8711.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).

Abatement Worker Annual Review (Certified 4/3/89).

Contractor/Supervisor Annual Review (Certified 4/3/89).

Initial Supervisor 6 Hour Supplement (Certified 4/3/89).

(xix)(a) *Training Provider:* National Asbestos Council, (NAC) Training Dept.

Address: 1777 Northeast Expressway, Suite 150, Atlanta, GA 30329, Contact: Tom Laubenthal, Phone: (404) 633-2622.

(b) *Approved Course:*

Abatement Worker (Certified 9/5/86).

(xx)(a) *Training Provider:* National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW, Washington, DC 20036, Contact: Mathew Gillen, Phone: (202) 867-1980.

(b) *Approved Courses:*

Abatement Worker (Certified 1/31/89).

Abatement Worker Annual Review (Certified 1/31/89).

Contractor/Supervisor (Certified 1/31/89).

Contractor/Supervisor Annual Review (Certified 1/31/89).

(xxi)(a) *Training Provider:* New England Laborers Training Trust Fund.

Address: 37 East St., Hopkinton, MA 01748, Contact: James Merloni, Phone: (508) 435-6316.

(b) *Approved Courses:*

Abatement Worker (Certified 7/1/86).

Abatement Worker Annual Review (Certified 2/15/89).

Contractor/Supervisor Annual Review (Certified 2/15/89).

Initial Supervisor 6 Hour Supplement (Certified 2/15/86).

(xxii)(a) *Training Provider:* Quality Control Services, Inc.

Address: 10 Lowell Junction Rd., Andover, MA 01810, Contact: Ajay Pathak, Phone: (508) 475-0623.

(b) *Approved Courses:*

Abatement Worker (Certified 4/27/88).

Abatement Worker Annual Review (Certified 3/10/89).

Contractor/Supervisor (Certified 4/27/88).

Contractor/Supervisor Annual Review (Certified 3/10/89).

(xxiii)(a) *Training Provider:* Safe Environment Corp.

Address: 100 Moody St., Suite 200, Ludlow, MA 01056, Contact: Anne Folta, Phone: (413) 289-1409.

(b) *Approved Courses:*

Abatement Worker (Certified 1/31/89).

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor (Certified 1/31/89).

Contractor/Supervisor Annual Review (Certification Pending).

(15)(a) *State:* South Dakota.

State Agency: Dept. of Water & Natural Resources Division of Air Quality & Solid Waste, Address: Joe Foss Building, 523 East Capitol St., Pierre, SD 57501, Contact: Tammy LeBeau, Phone: (605) 773-3153.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 9/15/88).

Contractor/Supervisor (full from 9/15/88).

Inspector/Management Planner (full from 9/15/88).

Project Designer (full from 9/15/88).

South Dakota Department of Water and Natural Resources, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* Black Hills Special Services Cooperative.

Address: Box 218, Sturgis, SD 57784, Contact: Jim Doolittle, Phone: (605) 347-4467.

(b) *Approved Courses:*

Abatement Worker (Certified 3/22/89).

Contractor/Supervisor (Certified 3/22/89).

Inspector/Management Planner (Certified 3/22/89).

(ii)(a) *Training Provider:* Enviro-safe Inc.

Address: P.O. Box 328, Wakonda, SD 57073, Contact: John Mathrol, Phone: (605) 267-2539.

(b) *Approved Courses:*

Abatement Worker (Certified 2/28/89).

Contractor/Supervisor (Certified 2/28/89).

Inspector/Management Planner (Certified 2/28/89).

(iii)(a) *Training Provider:* Fargo—Moorhead Carpenters Joint Apprenticeship & Training Committee.

Address: 3002 1st Ave., N., Fargo, ND 58102, Contact: Raymond Such, Phone: (701) 235-4981.

(b) *Approved Courses:*

Abatement Worker (Certified 4/20/89). Contractor/Supervisor (Certified 4/20/89).

(iv)(a) *Training Provider:* Iowa Laborers Training Fund.

Address: 5806 Meredith Ave., Suite C, Des Moines, IA 50322, Contact: Jack Jones, Phone: (515) 270-6965.

(b) *Approved Course:*

Abatement Worker (Certified 3/22/88).

(v)(a) *Training Provider:* South Dakota State University College of Engineering.

Address: P.O. Box 2218, Brookings, SD 57007-0597, Contact: James Ceglian, Phone: (605) 688-4107.

(b) *Approved Courses:*

Abatement Worker (Certified 5/18/88).

Contractor/Supervisor (Certified 5/18/88).

Inspector/Management Planner (Certified 5/18/88).

(16)(a) *State:* Utah.

State Agency: Utah Dept. of Health Bureau of Air Quality, Address: 288 North 1460 West, P.O. Box 16690, Salt Lake City, UT 84116-0690, Contact: F. Burnell Cordner, Phone: (801) 538-6108.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 7/8/89).

Contractor/Supervisor (full from 7/8/89).

Inspector/Management Planner (full from 7/8/89).

Project Designer (full from 7/8/89).

Utah Bureau of Air Quality, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* R.S. Christiansen Asbestos Consultants, Inc.

Address: 4980 Holladay Blvd., Salt Lake City, UT 84117, Contact: Stanley Christiansen, Phone: (801) 277-2323.

(b) *Approved Course:*

Abatement Worker Annual Review (Certified 7/28/89).

(ii)(a) *Training Provider:* Utah Caprenters Joint Apprenticeship & Training Committee.

Address: 2261 S. Redwood Rd., Suite J, Salt Lake City, UT 84119, Contact: Ken Mayne, Phone: (801) 972-5147.

(b) *Approved Courses:*

Abatement Worker (Certified 10/16/89).

Contractor/Supervisor (Certified 10/16/89).

(iii)(a) *Training Provider:* Utah Correctional Industries.

Address: P.O. Box 850, Draper, UT 84020-850, Contact: Vic Middleton, Phone: (801) 571-9264.

(b) *Approved Course:*

Contractor/Supervisor (Certified 9/25/89).

(17)(a) *State:* Virginia.

State Agency: Commonwealth of Virginia Dept. of Commerce, Address: 3600 West Broad St., Richmond, VA 23230-4917, Contact: Peggy J. Wood, Phone: (804) 367-8595.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 7/1/88).

Contractor/Supervisor (full from 7/1/88).

Inspector/Management Planner (full from 7/1/88).

Project Designer (full from 7/1/88).

Virginia Department of Commerce, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* Aerosol Monitoring & Analysis.

Address: The Commons Corporate Center, 1341 Ashton Rd., Suite A, Hanover, MD 21076, Contact: Steve Blizzard, Phone: (800) 221-1745.

(b) *Approved Course:*

Contractor/Supervisor (Certified 10/31/89).

(ii)(a) *Training Provider:* Alice Hamilton Occupational Health Center.

Address: 410 7th St., SE, 2nd Floor, Washington, DC 20003, Contact: Brian Christopher, Phone: (202) 543-0005.

(b) *Approved Courses:*

Abatement Worker (Certified 3/2/88).

Contractor/Supervisor (Certified 3/2/88).

Inspector/Management Planner (Certified 3/2/88).

(iii)(a) *Training Provider:* Asbestos Analytical Association.

Address: 3208-B George Washington Hwy., Portsmouth, VA 23704, Contact: Carol Holden, Phone: (804) 397-0695.

(b) *Approved Courses:*

Abatement Worker (Certified 7/27/88).

Contractor/Supervisor (Certified 7/27/88).

Inspector/Management Planner (Certified 7/27/88).

(iv)(a) *Training Provider:* Biospherics, Inc.

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Jean Fisher, Phone: (301) 369-3900.

(b) *Approved Courses:*

Abatement Worker (Certified 9/13/88).

Contractor/Supervisor (Certified 9/13/88).

Inspector/Management Planner (Certified 9/13/88).

(v)(a) *Training Provider:* Briggs Assoc. Inc.

Address: 8325 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Roos Voorhees, Phone: (301) 381-4434.

(b) *Approved Course:*

Abatement Worker (Certification Pending).

(vi)(a) *Training Provider:* Critical Environmental.

Address: 5815 Gulf Freeway, Houston, TX 77023, Contact: Dr. Ronald F. Dodson, Phone: (713) 921-8921.

(b) *Approved Courses:*

Abatement Worker (Certification Pending).

Contractor/Supervisor (Certification Pending).

Inspector/Management Planner (Certification Pending).

(vii)(a) *Training Provider:* E.I. DuPont DeNemours & Co., Inc.

Address: Spruance Plant, P.O. Box 27001, Richmond, VA 23261, Contact: Clarence Mihal, Phone: (804) 743-2948.

(b) *Approved Courses:*

Abatement Worker (Certified 5/11/88).

Contractor/Supervisor (Certified 5/11/88).

(viii)(a) *Training Provider:* Environmental Specialties, Inc.

Address: P.O. Box 130, Hopewell, VA 23860, Contact: Lewis Stevenson, Phone: (804) 458-1541.

(b) *Approved Courses:*

Abatement Worker (Certified 5/1/89).

Contractor/Supervisor (Certified 5/1/89).

(ix)(a) *Training Provider:* Fluor Daniel.

Address: The Daniel Bldg., 301 North Main St., Greenville, SC 29601, Contact: Rick Florence, Phone: (803) 298-2166.

(b) *Approved Courses:*

Abatement Worker (Certified 6/24/88).

Contractor/Supervisor (Certified 6/24/88).

(x)(a) *Training Provider:* GST Company.

Address: 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Norma Stanford, Phone: (412) 772-7488.

(b) *Approved Courses:*

Abatement Worker (Certified 6/1/89).

Contractor/Supervisor (Certified 6/1/89).

(xi)(a) *Training Provider:* Georgia Tech Research Group.

Address: Georgia Tech Institute of Technology, Atlanta, GA 30332,

Contact: Vicki H. Ainslie, Phone: (404) 895-3806.

(b) *Approved Course:*

Contractor/Supervisor (Certified 5/1/89).

(xii)(a) *Training Provider:* Hall-Kimbrell Environmental Services.

Address: 4840 West 15th St., P.O. Box 307, Lawrence, KS 66046, Contact: Steve Davis, Phone: (804) 270-7235.

(b) *Approved Courses:*

Abatement Worker (Certified 5/23/88).

Contractor/Supervisor (Certified 5/23/88).

(xiii)(a) *Training Provider:* Harman Engineering Associates, Inc.

Address: 1550 Pumphrey Ave., Auburn, AL 36830, Contact: Dave Schrimsher, Phone: (205) 821-9250.

(b) *Approved Course:*

Abatement Worker (Certified 9/21/89).

(xiv)(a) *Training Provider:* Hazard Abatement Consultants.

Address: 5 Breechwood Rd., Hampton, VA 23666, Contact: Thomas Priesman, Phone: (804) 825-0302.

(b) *Approved Course:*

Abatement Worker (Certified 6/1/89).

(xv)(a) *Training Provider:* Ind-Tra-Co., Ltd.

Address: 511 W. Grace St., Richmond, VA 23220, Contact: Ernest Drew, Phone: (804) 648-7836.

(b) *Approved Courses:*

Abatement Worker (Certified 3/7/88).

Contractor/Supervisor (Certified 3/7/88).

Inspector/Management Planner (Certified 3/7/88).

(xvi)(a) *Training Provider:* Industrial Training & Support Services.

Address: P.O. Box 496, Lightfoot, VA 23090, Contact: Virginia Graham, Phone: (804) 565-3308.

(b) *Approved Course:*

Abatement Worker (Certified 10/22/88).

(xvii)(a) *Training Provider:* Institute for Environmental Education.

Address: 208 West Cummings Pk., Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-0664.

(b) *Approved Courses:*

Abatement Worker (Certification Pending).

Contractor/Supervisor (Certification Pending).

Inspector (Certification Pending).

(xviii)(a) *Training Provider:* Jenkins Professionals Inc.

Address: 5502 Campbell Blvd., Suite F, Baltimore, MD 21236, Contact: Larry Jenkins, Phone: (301) 529-3553.

(b) Approved Courses:

Abatement Worker (Certified 12/27/89).
Contractor/Supervisor (Certified 12/27/89).

(xix)(a) *Training Provider:* Laborers District Council of Virginia Training Trust Fund.

Address: 4191 Rochambeau Dr., Williamsburg, VA 23185, Contact: Roy Brightwell, Phone: (804) 564-8148.

(b) Approved Course:

Abatement Worker (Certified 8/8/88).

(xx)(a) *Training Provider:* Marcus Environmental.

Address: 6345 Courthouse Rd., P.O. Box 227, Prince George, VA 23875, Contact: Marshall Marcus, Phone: (804) 733-1855.

(b) Approved Courses:

Abatement Worker (Certified 2/13/89).
Contractor/Supervisor (Certified 2/13/89).

(xxi)(a) *Training Provider:* Maryland Center for Environmental Training-Charles County Community College.

Address: Mitchell Rd., P.O. Box 910, LaPlata, MD 20646-0910, Contact: Jake Bair, Phone: (301) 934-2251.

(b) Approved Courses:

Abatement Worker (Certified 5/19/89).
Contractor/Supervisor (Certified 5/19/89).

(xxii)(a) *Training Provider:* Medical College of Virginia Dept. of Preventive Medicine.

Address: P.O. Box 212, Richmond, VA 23298, Contact: Leonard Vance, Phone: (804) 786-9785.

(b) Approved Courses:

Abatement Worker (Certified 12/8/87).
Contractor/Supervisor (Certified 3/8/87).

Inspector/Management Planner (Certified 12/8/87).

(xxiii)(a) *Training Provider:* Metropolitan Laboratories.

Address: P.O. Box 8921, Norfolk, VA 23503, Contact: Ethel Holmes, Phone: (804) 583-9444.

(b) Approved Courses:

Abatement Worker (Certified 8/4/88).
Contractor/Supervisor (Certified 8/4/88).

(xxiv)(a) *Training Provider:* Norfolk Shipbuilding & Dry Dock Co.

Address: P.O. Box 2100, Norfolk, VA 23501, Contact: Thomas Beacham, Phone: (804) 494-2940.

(b) Approved Course:

Abatement Worker (Certified 6/15/88).

(xxv)(a) *Training Provider:* OMC.

Address: 4451 Parliament Place, Lanham, MD 20706, Contact: Ellen J. Kite, Phone: (301) 306-0632.

(b) Approved Course:

Contractor/Supervisor (Certified 8/25/89).

(xxvi)(a) *Training Provider:* Old Dominion University.

Address: Office of Health Sciences, Norfolk, VA 23529, Contact: Shirley Glover, Phone: (804) 440-4256.

(b) Approved Courses:

Abatement Worker (Certified 6/8/88).
Contractor/Supervisor (Certified 6/8/88).

Inspector/Management Planner (Certified 6/8/88).

(xxvii)(a) *Training Provider:* Quality Specialties, Inc.

Address: 109 15th Ave., Hopewell, VA 23860, Contact: Mike Rhodes, Phone: (804) 748-9606.

(b) Approved Course:

Abatement Worker (Certified 5/3/88).

(xxviii)(a) *Training Provider:* Retra Services.

Address: 1730 S. Alt. 19, Suite H, Tarpon Springs, FL 34689, Contact: David Sarvadi, Phone: (703) 791-5404.

(b) Approved Course:

Abatement Worker (Certified 8/18/89).

(xxix)(a) *Training Provider:* Roy F. Weston, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Michael Skotnick, Phone: (205) 826-6100.

(b) Approved Course:

Inspector/Management Planner (Certified 12/27/89).

(xxx)(a) *Training Provider:* S.G. Brown, Inc.

Address: 2701 Sonic Dr., Virginia Beach, VA 23334, Contact: George Torrence, Phone: (804) 468-0027.

(b) Approved Course:

Abatement Worker (Certified 6/10/88).

(xxxi)(a) *Training Provider:* State Council of Carpenters of Virginia.

Address: 3801 Jefferson Davis Hwy., Richmond, VA 23234, Contact: Frank Hollis, Phone: (804) 275-0701.

(b) Approved Courses:

Abatement Worker (Certified 8/31/89).
Contractor/Supervisor (Certified 8/31/89).

(xxxii)(a) *Training Provider:* The Francis L. Greenfield Institute.

Address: Route 6344, P.O. Box 217, Sterling, VA 22170, Contact: Bengamin Bostic, Phone: (703) 450-5950.

(b) Approved Course:

Abatement Worker (Certified 10/10/88).

(xxxiii)(a) *Training Provider:* Tidewater Community College.

Address: VA Beach Campus, 1700 College Crescent, Virginia Beach, VA

23456, Contact: Sam Lamb, Phone: (804) 427-7198.

(b) Approved Course:

Abatement Worker (Certified 3/21/89).

(xxxiv)(a) *Training Provider:* University of Virginia National Asbestos Council Division of Continuing Education.

Address: 106 Midmont Lake, Charlottesville, VA 22903, Contact: Gregory Pels, Phone: (804) 924-7114.

(b) Approved Course:

Abatement Worker (Certified 3/7/88).

(xxxv)(a) *Training Provider:* Waco, Inc.

Address: Highway 925, N, Waldorf, MD 20601, Contact: Wayne Cooper, Phone: (301) 843-2488.

(b) Approved Courses:

Abatement Worker (Certified 10/31/88).
Contractor/Supervisor (Certified 10/31/88).

(xxxvi)(a) *Training Provider:* White Lung Association.

Address: 1601 St. Paul St., Baltimore, MD 21202, Contact: James Fite, Phone: (301) 727-6029.

(b) Approved Course:

Inspector/Management Planner (Certified 7/11/88).

(18)(a) *State:* Washington.

State Agency: Washington Department of Labor and Industries, Division of Industrial Safety and Health, Address: 300 West Harrison St., Seattle, WA 98119, Contact: James Catalano, Phone: (206) 281-5325.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (full from 11/10/89).
Contractor/Supervisor (full from 11/10/89).

Washington Department of Labor and Industries Division of Safety and Health, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider:* Asbestos Training Project/Worker Resources.

Address: P.O. Box 11053, Eugene, OR 97440, Contact: Wendy Wiles, Phone: (503) 345-7393.

(b) Approved Courses:

Abatement Worker.
Abatement Worker Annual Review.

(ii)(a) *Training Provider:* Bison Engineering/Research.

Address: 1020 S. 344th No. 204, Federal Way, WA 98003, Contact: Don Hurst, Phone: (206) 838-7261.

(b) Approved Course:

Abatement Worker.

(iii)(a) *Training Provider*: Chen-Northern, Inc.
Address: 600 South 25th St., P.O. Box 30615, Billings, MT 59107, Contact: Kathleen Smit, Phone: (406) 248-9262.

(b) *Approved Course*:

Abatement Worker.

(iv)(a) *Training Provider*: Enviro-tec, Inc.

Address: 2825—152nd Ave. NE, Redmond, WA 98052, Contact: Lawrence Short, Phone: (206) 867-5111.

(b) *Approved Course*:

Abatement Worker.

(v)(a) *Training Provider*: Environmental Health Sciences, Inc.

Address: 9 Lake Bellevue Bldg., Suite 104, Bellevue, WA 98005, Contact: Sheila Plumacher, Phone: (206) 455-2959.

(b) *Approved Courses*:

Abatement Worker.

Contractor/Supervisor.

(vi)(a) *Training Provider*: Environmental Management, Inc.

Address: P.O. Box 91477, Anchorage, AK 99509, Contact: Kenneth Johnson, Phone: (907) 272-8056.

(b) *Approved Course*:

Abatement Worker.

(vii)(a) *Training Provider*: Environmental Management, Inc.

Address: P.O. Box 363, Wauna, WA 98395, Contact: Ray Donahue, Phone: (206) 857-3222.

(b) *Approved Course*:

Abatement Worker.

(viii)(a) *Training Provider*: Hall-Kimbrell Environmental Services, Inc.

Address: 5319 SW Westgate, No. 239, Portland, OR 97221, Contact: Peter Clark, Phone: (503) 292-9406.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(ix)(a) *Training Provider*: Hazcon, Inc.

Address: 9500 SW Barbur Blvd., Suite 100, Portland, OR 97219, Contact: Tom Natsch, Phone: (503) 244-8045.

(b) *Approved Course*:

Contractor/Supervisor.

(x)(a) *Training Provider*: Hazcon, Inc.

Address: 5950 Sixth Ave. S., No. 200, Seattle, WA 98108, Contact: Mike Krause, Phone: (206) 763-7297.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xi)(a) *Training Provider*: Heavey Engineers, Inc.

Address: P.O. Box 832, Stevenson, WA 98648, Contact: Bernard Heavey, Phone: (509) 427-6936.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xii)(a) *Training Provider*: Long Services.

Address: 8025 10th Ave. S., P.O. Box C 81435, Seattle, WA 98018-4498, Contact: Michael Cole, Phone: (206) 763-8422.

(b) *Approved Course*:

Abatement Worker.

(xiii)(a) *Training Provider*: M & M Environmental, Inc.

Address: 3902 N. 34th St., Tacoma, WA 98407, Contact: Mike Reid, Phone: (206) 759-3443.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xiv)(a) *Training Provider*: NW Envirocon, Inc.

Address: 285 SW 41st, Renton, WA 98055, Contact: Cindy Rice, Phone: (206) 251-6033.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xv)(a) *Training Provider*: NW Envirocon, Inc.

Address: P.O. Box 169, Washougal, WA 98671, Contact: Jaxk Tenhonen, Phone: (206) 835-8576.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xvi)(a) *Training Provider*: NW Laborers—Employers Training Trust Fund.

Address: 27055 Ohio Ave., Kingston, WA 98346, Contact: Harold Avery, Phone: (206) 297-3035.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xvii)(a) *Training Provider*: NW Washington Painting, Drywall Joint Apprenticeship Committee.

Address: 6770 E. Marginal Way S., Seattle, WA 98108, Contact: Paul Norling, Phone: (206) 762-8332.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xviii)(a) *Training Provider*: Oregon, Southern Idaho, Wyoming, SW Washington Apprenticeship.

Address: Route 5, Box 325A, Corvallis, OR 97330, Contact: Larry Porter, Phone: (503) 745-5513.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

(xix)(a) *Training Provider*: Prezant Associates, Inc.

Address: 711 6th Ave. N., Suite 200, Seattle, WA 98109, Contact: Brad Prezant, Phone: (206) 281-8858.

(b) *Approved Courses*:

Abatement Worker.

Abatement Worker Annual Review.

Contractor/Supervisor.

(19)(a) *State*: Wisconsin.

State Agency: Department of Health & Social Services Division of Health, Address: 1414 East Washington, Ave., Rm. 112, Madison, WI 53703, Contact: Debbie Fresch, Phone: (608) 266-9382.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 11/10/89).
Contractor/Supervisor (full from 11/10/89).

Inspector (full from 11/10/89).

Inspector/Management Planner (full from 11/10/89).

Project Designer (full from 11/10/89).

EPA-Approved Training Courses

REGION I—Boston, MA

Regional Asbestos Coordinator: Joe DeCola, EPA, Region I, Air and Management Division (APT-2311), JFK Federal Building, Boston, MA 02203. (617) 565-3835, (FTS) 835-3835.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region I training courses and contact points for each, are as follows:

(1)(a) *Training Provider*: Brooks Safe & Sound, Inc.

Address: 44 Codfish Ln., Weston, CT 06883, Contact: Keith Brooks, CSP, Phone: (203) 226-6970.

(b) *Approved Courses*:

Abatement Worker (contingent from 11/27/89).

Contractor/Supervisor (contingent from 11/27/89).

Inspector/Management Planner (contingent from 11/1/89).

(2)(a) *Training Provider*: Con-Test, Inc.

Address: P.O. Box 591, East Longmeadow, MA 01028, Contact: Brenda Bolduc, Phone: (413) 525-1198.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/2/87).

Abatement Worker Refresher Course (full from 11/22/88).
 Contractor/Supervisor (contingent from 10/2/87).
 Contractor/Supervisor Refresher Course (contingent from 10/2/87).
 Contractor/Supervisor Refresher Course (full from 12/21/88).
 Inspector/Management Planner (contingent from 10/2/87).
 Inspector/Management Planner Refresher Course (contingent from 10/2/87).
 Inspector/Management Planner Refresher Course (full from 2/1/89).
 (3)(a) *Training Provider:* Ecosystems, Inc.
 Address: 266 Mian St., Suite 19, Medfield, MA 02052, Contact: Richard Doyle, Phone: (617) 239-8181.
 (b) *Approved Course:*
 Contractor/Supervisor (contingent from 10/5/87).
 (4)(a) *Training Provider:* Enviromed Services, Inc.
 Address: 25 Science Park, New Haven, CT 06511, Contact: Lawrence J. Cannon, Phone: (203) 786-5580.
 (b) *Approved Courses:*
 Abatement Worker (contingent from 7/8/88).
 Abatement Worker Refresher Course (contingent from 6/19/89).
 Contractor/Supervisor (contingent from 2/23/89).
 Contractor/Supervisor Refresher Course (contingent from 6/19/89).
 Inspector/Management Planner (contingent from 1/30/89).
 (5)(a) *Training Provider:* Environmental Training Services Inc.
 Address: 62-H Montvale Pl, Stoneham, MA 02180, Contact: Maryann Martin, Phone: (617) 279-0855.
 (b) *Approved Course:*
 Abatement Worker (contingent from 4/22/88).
 (6)(a) *Training Provider:* Hygientics, Inc.
 Address: 150 Causeway St., Boston, MA 02114, Contact: John W. Cowdery, Phone: (617) 723-4664.
 (b) *Approved Course:*
 Inspector (contingent from 10/2/87).
 (7)(a) *Training Provider:* Industrial Health & Safety Consultants, Inc.
 Address: 915 Bridgeport Ave., Shelton, CT 06484, Contact: Angela D. Rath, Phone: (203) 929-1131.
 (b) *Approved Courses:*
 Abatement Worker (contingent from 5/15/89).
 Abatement Worker Refresher Course (contingent from 6/19/89).
 Contractor/Supervisor (contingent from 5/12/89).

Contractor/Supervisor Refresher Course (contingent from 6/19/89).
 Inspector/Management Planner (contingent from 11/1/89).
 (8)(a) *Training Provider:* Institute for Environmental Education.
 Address: 208 West Cummings Park, Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-7370.
 (b) *Approved Courses:*
 Abatement Worker (contingent from 4/28/88).
 Abatement Worker Refresher Course (full from 11/3/88).
 Contractor/Supervisor (full from 9/18/87).
 Contractor/Supervisor Refresher Course (full from 11/3/88).
 Inspector/Management Planner (contingent from 10/2/87).
 Inspector/Management Planner Refresher Course (contingent from 10/31/88).
 Project Designer (contingent from 2/28/89).
 Project Designer Refresher Course (contingent from 8/8/89).
 (9)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 33.
 Address: 15 South Elm St., Wallingford, CT 06492, Contact: Joseph V. Soli, Phone: (203) 265-3547.
 (b) *Approved Course:*
 Contractor/Supervisor (contingent from 7/27/88).
 (10)(a) *Training Provider:* Maine Labor Group on Health, Inc.
 Address: P.O. Box V, Augusta, ME 04332-1042, Contact: Diana White, Phone: (207) 622-7823.
 (b) *Approved Courses:*
 Abatement Worker (contingent from 8/11/87).
 Abatement Worker Refresher Course (contingent from 10/17/88).
 Contractor/Supervisor (contingent from 5/18/87).
 Contractor/Supervisor Refresher Course (full from 3/26/88).
 (11)(a) *Training Provider:* New England Laborers Training Trust Fund.
 Address: Route 97 & Murdock Rd., P.O. Box 77, Pomfret Center, CT 06259, Contact: Gennaro Lepore, Phone: (203) 974-1455.
 (b) *Approved Course:*
 Abatement Worker (contingent from 5/25/89).
 (12)(a) *Training Provider:* New England Laborers Training Trust Fund.
 Address: 37 East St., Hopkinton, MA 01748-2699, Contact: Jim Merloni, Jr., Phone: (617) 435-6316.
 (b) *Approved Courses:*

Abatement Worker (contingent from 10/5/87).
 Abatement Worker Refresher Course (contingent from 5/20/88).
 (13)(a) *Training Provider:* Radiation Safety Associates, Inc.
 Address: P.O. Box 107, 10 Pendleton Dr., Hebron, CT 06248, Contact: K. Paul Steinmeyer, Phone: (203) 228-0487.
 (b) *Approved Courses:*
 Contractor/Supervisor (contingent from 5/16/89).
 Inspector/Management Planner (contingent from 5/16/89).
 (14)(a) *Training Provider:* Tufts University Asbestos Information Center.
 Address: 474 Boston Ave., Medford, MA 02155, Contact: Anne Chabot, Phone: (617) 381-3531.
 (b) *Approved Courses:*
 Contractor/Supervisor (interim from 9/1/85 to 5/31/87).
 Contractor/Supervisor (full from 6/1/87).
 Inspector/Management Planner (full from 11/16/87).
EPA-Approved Training Courses
REGION II—Edison, NJ
Regional Asbestos Coordinator:
 Arnold Freiburger, EPA, Region II, Woodbridge Ave., Raritan Depot, Bldg. 5, (MS-500), Edison, NJ 08837. (201) 321-6671, (FTS) 340-6671.
List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region II training courses and contact points for each, are as follows:
 (1)(a) *Training Provider:* AAC Contracting, Inc.
 Address: 243 Paul Rd., Rochester, NY 14624, Contact: Kevin T. Cannan, Phone: (716) 328-7010.
 (b) *Approved Course:*
 Abatement Worker (contingent from 5/8/89).
 (2)(a) *Training Provider:* ATC Environmental, Inc.
 Address: 104 East 25th St., New York, NY 10010, Contact: David V. Chambers, Phone: (212) 353-8280.
 (b) *Approved Courses:*
 Abatement Worker (full from 11/7/88).
 Contractor/Supervisor (full from 11/7/88).
 Inspector/Management Planner (contingent from 6/5/88).

Inspector/Management Planner (full from 3/6/89).

(3)(a) *Training Provider:* Abatement Safety Training Institute.

Address: 323 West 39th St., New York, NY 10018, Contact: Rosemarie Bascianilli, Phone: (212) 629-8400.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/25/88).

Abatement Worker (full from 12/11/89).
Contractor/Supervisor (contingent from 10/25/88).

Inspector/Management Planner (contingent from 3/9/88).

Inspector/Management Planner (full from 3/21/88).

Inspector/Management Planner Refresher Course (contingent from 1/11/89).

Inspector/Management Planner Refresher Course (full from 1/30/89).

(4)(a) *Training Provider:* Adelaide Environmental Health Associates.

Address: 61 Front St., Binghamton, NY 13905-4705, Contact: William S. Carter, Phone: (607) 722-6839.

(b) *Approved Course:*

Abatement Worker (contingent from 11/14/88).

(5)(a) *Training Provider:* Albany Environmental Technologies (A.E. Technologies).

Address: P.O. Box 1348, Schenectady, NY 12301, Contact: Kevin Pilgrim, Phone: (518) 374-4801.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/8/89).

Contractor/Supervisor (contingent from 6/8/89).

(6)(a) *Training Provider:* Allegheny Council on Occupational Health.

Address: 100 East Second St., Suite 3, Jamestown, NY 14701, Contact: Linda Berlin, Phone: (716) 488-0720.

(b) *Approved Course:*

Abatement Worker (contingent from 7/26/89).

(7)(a) *Training Provider:* Allwash of Syracuse, Inc.

Address: P.O. Box 605, Syracuse, NY 13201, Contact: Ronald D. Roy, Phone: (315) 454-4476.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/16/87).

Abatement Worker (full from 12/7/88).

Abatement Worker Refresher Course (contingent from 12/15/88).

Contractor/Supervisor (contingent from 1/30/89).

Contractor/Supervisor Refresher Course (contingent from 10/17/89).

(8)(a) *Training Provider:* Alternative Ways, Inc. Educational Services.

Address: Barclay Pavilion E, Suite 222, Route 70, Cherry Hill, NJ 08034.
Contact: Linda A. Pardi, Phone: (609) 795-1991.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/11/88).

Abatement Worker (full from 12/1/89).

Contractor/Supervisor (contingent from 4/11/88).

Contractor/Supervisor (full from 12/1/89).

Inspector/Management Planner (contingent from 4/22/88).

Inspector/Management Planner (full from 5/26/88).

Inspector/Management Planner Refresher Course (contingent from 1/18/89).

(9)(a) *Training Provider:* Anderson International.

Address: RD 2, North Main Street Extension, Jamestown, NY 14701, Contact: Sally L. Gould, Phone: (716) 664-4028.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Contractor/Supervisor (contingent from 12/29/88).

(10)(a) *Training Provider:* Applied Respiratory Technology.

Address: P.O. Box 1132, Peekskill, NY 10566, Contact: Paul M. Madigan, Phone: (914) 431-6421.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 11/28/88).

Abatement Worker Refresher Course (contingent from 10/19/88).

Contractor/Supervisor (contingent from 8/11/88).

Contractor/Supervisor (full from 11/28/88).

Contractor/Supervisor Refresher Course (contingent from 10/31/88).

(11)(a) *Training Provider:* Asbestos Control Management, Inc.

Address: 126 South Third St., Olean, NY 14760, Contact: Clar D. Anderson, Phone: (716) 372-6393.

(b) *Approved Course:*

Abatement Worker (contingent from 5/5/89).

(12)(a) *Training Provider:* Asbestos Training Academy, Inc.

Address: 218 Cooper Center, Pennsauken, NJ 08109, Contact: S.J. Sieracki, Phone: (609) 488-9200.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/15/88).

Abatement Worker (full from 11/7/88).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 11/7/88).

Inspector (contingent from 4/27/89).

(13)(a) *Training Provider:* Asteco, Inc.

Address: 140 Telegraph Rd., P.O. Box 179, Middleport, NY 14105, Contact: Davis Root, Phone: (716) 735-3894.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/88).

Abatement Worker (full from 4/13/88).

Abatement Worker Refresher Course (contingent from 12/20/88).

(14)(a) *Training Provider:* Astoria Industries, Inc.

Address: 538 Stewart Ave., Brooklyn, NY 11222, Contact: Gary DiPaolo Jr., Phone: (718) 387-0011.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/8/88).

Abatement Worker (full from 4/18/88).

Contractor/Supervisor (contingent from 9/20/89).

Inspector (contingent from 1/18/89).

(15)(a) *Training Provider:* BOCES-Albany-Scholarie-Schenectady Counties.

Address: 47 Cornell Rd., Latham, NY 12110, Contact: Charlene Vespi, Phone: (518) 786-3211.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/20/89).

Abatement Worker Refresher Course (contingent from 7/31/89).

Contractor/Supervisor (contingent from 7/20/89).

Inspector/Management Planner Refresher Course (contingent from 10/6/89).

(16)(a) *Training Provider:* BOCES-Cayuga-Onondaga Counties.

Address: 234 South Street Rd., Auburn, NY 13021, Contact: Peter Pirnie, Phone: (315) 253-0361.

(b) *Approved Course:*

Abatement Worker (contingent from 6/17/88).

(17)(a) *Training Provider:* BOCES-Schuyler, Chemung, Tioga Counties.

Address: 431 Philo Road, Elmira, NY 14903, Contact: L. Eugene Ferro, Phone: (607) 739-3581.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/1/89).

Abatement Worker Refresher Course (contingent from 6/1/89).

Contractor/Supervisor (contingent from 6/1/89).

Contractor/Supervisor Refresher Course (contingent from 6/1/89).

Inspector/Management Planner
Refresher Course (contingent from 6/
1/89).

(18)(a) *Training Provider:* Board of
Cooperative Education Services of
Rensselaer & Green Counties New York.
Address: 1550 Schuurman Road,
Castleton, NY 12033, Contact: Paul
Bowler, Phone: (518) 732-7266.

(b) *Approved Course:*

Inspector/Management Planner
(contingent from 4/10/89).

(19)(a) *Training Provider:* Board of
Cooperative Educational Services
(BOCES) No. 3.

Address: 507 Deer Park Rd., Dix Hills,
NY 11746, Contact: Ciro Aiello, Phone:
(516) 667-6000 X 300.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
6/89).

Abatement Worker (full from 11/27/89).
Contractor/Supervisor (contingent from
2/6/89).

(20)(a) *Training Provider:* Board of
Cooperative Educational Services of
Rensselaer, Columbia & Green Counties
of New York.

Address: Brookview Rd., P.O. Box 26,
Brookview, NY 12026, Contact: Paul D.
Bowler, Phone: (518) 732-7266.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
10/89).

Inspector/Management Planner
(contingent from 4/10/89).

(21)(a) *Training Provider:* Board of
Cooperative Educational Services-
Suffolk County Boces 2, Adult Occup. &
Continuing Ed.

Address: 375 Locust Ave., Oakdale, NY
11769, Contact: Edward J. Milliken,
Phone: (516) 563-2954.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
27/89).

Abatement Worker Refresher Course
(contingent from 6/16/89).

Contractor/Supervisor (contingent from
3/27/89).

Contractor/Supervisor Refresher Course
(contingent from 6/16/89).

(22)(a) *Training Provider:* Branch
Services, Inc.

Address: 1255 Lakeland Ave., Bohemia,
NY 11716, Contact: Luis Sanders,
Phone: (516) 563-7300.

(b) *Approved Course:*

Abatement Worker (contingent from 6/
1/89).

(23)(a) *Training Provider:* Buffalo
Laborers Training Fund.

Address: 481 Franklin St., Buffalo, NY
14202, Contact: Victor J. Sansanese,
Phone: (716) 884-7157.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
30/88).

Abatement Worker Refresher Course
(contingent from 8/8/89).

(24)(a) *Training Provider:* Building
Laborers Local Union No. 17.

Address: P.O. Box 252, Vails Gate, NY
12584, Contact: Victor P. Mandia,
Phone: (914) 562-1121.

(b) *Approved Course:*

Abatement Worker (contingent from 10/
31/88).

(25)(a) *Training Provider:*
Calibrations, Inc.

Address: 802 Watervliet—Shaker Rd.,
Latham, NY 12110, Contact: James
Percent, Phone: (518) 786-1865.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
28/88).

Abatement Worker (full from 12/5/88).
Abatement Worker Refresher Course

(contingent from 3/6/89).
Contractor/Supervisor (contingent from
9/28/88).

Contractor/Supervisor (full from 12/5/
88).

Contractor/Supervisor Refresher Course
(contingent from 3/6/89).

Inspector/Management Planner
(contingent from 9/28/88).

Inspector/Management Planner
Refresher Course (contingent from 3/
6/89).

Project Designer (full from 5/23/88).

Project Designer Refresher Course
(contingent from 3/6/89).

(26)(a) *Training Provider:*
Comprehensive Analytical Group.

Address: 147 Midler Park Dr., Syracuse,
NY 13206, Contact: David Serino,
Phone: (315) 432-1332.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
9/89).

Abatement Worker Refresher Course
(contingent from 4/25/89).

Contractor/Supervisor (contingent from
3/29/89).

Contractor/Supervisor Refresher Course
(contingent from 5/18/89).

Inspector (contingent from 10/27/89).

(27)(a) *Training Provider:* Ecology &
Environment, Inc.

Address: Buffalo Corporate Center, 368
Pleasantview Dr., Lancaster, NY
14086, Contact: Thomas G. Siener,
Phone: (716) 684-8060.

(b) *Approved Course:*

Inspector/Management Planner
Refresher Course (contingent from 4/
7/89).

(28)(a) *Training Provider:* Education &
Training Fund Laborers' Local No. 91.

Address: 2556 Seneca Ave., Niagra Falls,
NY 14305, Contact: Joel Cicero, Phone:
(716) 297-6001.

(b) *Approved Courses:*

Abatement Worker (full from 7/27/87).
Abatement Worker Refresher Course

(contingent from 10/20/88).

Abatement Worker Refresher Course
(full from 10/22/88).

(29)(a) *Training Provider:* Edward O.
Watts & Associates.

Address: 1331 North Forest Rd., Suite
340, Buffalo, NY 14221, Contact:
Edward O. Watts, Phone: (716) 688-
4827.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
4/89).

Abatement Worker Refresher Course
(contingent from 3/3/89).

Contractor/Supervisor (contingent from
7/12/89).

Contractor/Supervisor Refresher Course
(contingent from 3/3/89).

(30)(a) *Training Provider:* General
Bldg. Laborer's Local Union No. 66.

Address: 288 Middle Island Rd.,
Medford, NY 11763, Contact: Michael
La Barbara, Phone: (516) 249-1110.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
10/89).

Abatement Worker (full from 12/1/89).

(31)(a) *Training Provider:* Hazardous
Waste Management Corp. Training
Center of Buffalo, New York.

Address: 3816 Union Rd., Buffalo, NY
14225-5301, Contact: Donald Larder,
Phone: (716) 634-3000.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
31/88).

Contractor/Supervisor (contingent from
10/31/88).

(32)(a) *Training Provider:* Hudson
Asbestos Training Institute.

Address: 604 Manhattan Ave., Brooklyn,
NY 11222, Contact: Henry Kawiorski,
Phone: (718) 383-2656.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
30/89).

Abatement Worker (full from 3/13/89).

Contractor/Supervisor (contingent from
1/30/89).

(33)(a) *Training Provider:* Hunter
College Asbestos Training Center/
United Brotherhood of Carpenters &
Joiners of America.

Address: 425 East 25th St., New York,
NY 10010, Contact: Jack Caravanas,
Phone: (212) 481-7569.

(b) *Approved Courses:*

Abatement Worker (full from 7/1/88).
 Abatement Worker Refresher Course
 (contingent from 6/20/89).
 Contractor/Supervisor (full from 7/1/88).
 Contractor/Supervisor Refresher Course
 (contingent from 6/20/89).
 Inspector/Management Planner
 (contingent from 12/21/89).
 (34)(a) *Training Provider:* Hygeia
 Research & Training.

Address: P.O. Box 4506, Utica, NY 13501,
 Contact: Richard A. Gigliotti, Phone:
 (315) 732-8567.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/9/88).
 Abatement Worker (full from 5/6/88).
 Abatement Worker Refresher Course
 (contingent from 12/12/88).
 Contractor/Supervisor (contingent from 1/26/89).
 Contractor/Supervisor Refresher Course
 (contingent from 12/20/88).
 (35)(a) *Training Provider:* Institute of
 Asbestos Awareness.

Address: 2 Heitz Pl., Suite 1000,
 Hicksville, NY 11801, Contact: Henry
 R. Clegg, Phone: (516) 937-1600.

(b) *Approved Courses:*

Abatement Worker (full from 10/24/88).
 Abatement Worker Refresher Course
 (contingent from 3/8/89).
 Contractor/Supervisor (full from 10/24/88).
 Contractor/Supervisor Refresher Course
 (contingent from 3/8/89).
 Inspector/Management Planner
 (contingent from 9/28/88).
 Inspector/Management Planner (full
 from 3/2/89).
 Inspector/Management Planner
 Refresher Course (contingent from 3/8/89).
 Project Designer (contingent from 9/26/89).

(36)(a) *Training Provider:* Institute of
 Asbestos Technology Corp.

Address: 5900 Butternut Dr., East
 Syracuse, NY 13057, Contact: Charles
 Kirch, Phone: (315) 437-1307.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/88).
 Abatement Worker (full from 6/27/88).
 Abatement Worker Refresher Course
 (contingent from 12/20/88).
 Contractor/Supervisor (contingent from 4/7/89).
 Contractor/Supervisor Refresher Course
 (contingent from 6/8/89).
 Inspector/Management Planner
 (contingent from 10/19/89).
 Inspector/Management Planner
 Refresher Course (contingent from 10/27/89).

(37)(a) *Training Provider:* Kaselaan &
 D'Angelo Associates, Inc.

Address: 220 Fifth Ave., New York, NY
 10001, Contact: Lance Fredericks,
 Phone: (212) 216-6340.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/15/89).
 Contractor/Supervisor (contingent from 3/27/89).
 Inspector/Management Planner
 (contingent from 2/12/88).
 Inspector/Management Planner (full
 from 3/7/88).
 Inspector/Management Planner
 Refresher Course (full from 4/27/89).

(38)(a) *Training Provider:* Korean
 Asbestos Training Center.

Address: 46-12 Queens Blvd, Long
 Island City, NY 11104, Contact:
 Tchang S. Bahrk, Phone: (718) 361-
 6464.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/11/89).
 Abatement Worker Refresher Course
 (contingent from 5/22/89).
 Contractor/Supervisor (contingent from 5/11/89).
 Contractor/Supervisor Refresher Course
 (contingent from 5/22/89).

(39)(a) *Training Provider:* Laborers
 Local Union No. 214 of Oswego New
 York & Vicinity Training & Education
 Fund.

Address: 23 Mitchell St., Oswego, NY
 13126, Contact: John T. Shannon,
 Phone: (315) 343-8553.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).
 Abatement Worker (full from 1/23/89).
 Abatement Worker Refresher Course
 (contingent from 2/15/89).
 Contractor/Supervisor (contingent from 10/7/89).

(40)(a) *Training Provider:* Lozier
 Architects/Engineers.

Address: 600 Perinton Hills, Fairport, NY
 14450, Contact: Dyke Coyne, Phone:
 (716) 223-7610.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/12/89).
 Abatement Worker Refresher Course
 (contingent from 7/12/89).

(41)(a) *Training Provider:* McDonnell-
 Gamble Environmental Services, Inc.

Address: 444 Park Ave. S, 5th Fl., Suite
 503, New York, NY 10016, Contact:
 Yelena Goodman, Phone: (212) 545-
 1122.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/15/88).

Abatement Worker (full from 12/5/88).
 Abatement Worker Refresher Course
 (contingent from 8/25/89).

Contractor/Supervisor (contingent from 10/18/88).

Contractor/Supervisor (full from 12/5/88).

(42)(a) *Training Provider:* Mid-
 Atlantic Asbestos Training Center
 UMDNJ Robert Wood Johnson Medical
 School.

Address: 675 Hoes Ln., Piscataway, NJ
 08854-5635, Contact: Lee Laustsen,
 Phone: (201) 463-4500.

(b) *Approved Courses:*

Abatement Worker (full from 7/28/86).
 Abatement Worker Refresher Course
 (contingent from 10/17/89).
 Contractor/Supervisor (full from 7/28/86).
 Contractor/Supervisor Refresher Course
 (contingent from 10/17/89).
 Inspector/Management Planner (full
 from 11/16/87).
 Inspector/Management Planner
 Refresher Course (full from 11/18/88).
 Project Designer (contingent from 11/20/89).
 Project Designer Refresher Course
 (contingent from 10/17/89).

(43)(a) *Training Provider:* Monroe
 Community College of Rochester, New
 York.

Address: P.O. Box 9720, Rochester, NY
 14623-0720, Contact: Dusty Swanger,
 Phone: (716) 272-9839.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).
 Abatement Worker (full from 4/26/89).

(44)(a) *Training Provider:* National
 Asbestos Training Institute (NATI).

Address: 1776 Bloomsbury Ave., Ocean,
 NJ 07712, Contact: Doris L. Adler,
 Phone: (201) 918-0610.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).
 Abatement Worker (full from 12/1/89).
 Abatement Worker Refresher Course
 (contingent from 10/20/89).
 Contractor/Supervisor (contingent from 11/3/89).

Contractor/Supervisor (full from 12/1/89).
 Contractor/Supervisor Refresher Course
 (contingent from 10/20/89).
 Inspector/Management Planner
 (contingent from 6/13/88).
 Inspector/Management Planner (full
 from 4/17/89).

Inspector/Management Planner
 Refresher Course (contingent from 5/25/89).

Project Designer (contingent from 11/3/89).

Project Designer Refresher Course (contingent from 10/20/89).

(45)(a) *Training Provider:* National Institute on Abatement Science & Technology (NIAT).

Address: 114 West State St., P.O. Box 1780, Trenton, NJ 08607-1780, Contact: Glenn W. Phillips, Phone: (800) 422-2836.

(b) *Approved Courses:*

Inspector (contingent from 3/8/88).

Inspector (full from 4/11/88).

(46)(a) *Training Provider:* New York University School of Continuing Education.

Address: 11 West 42nd St., New York, NY 10036, Contact: Charles Schwartz, Phone: (212) 790-1647.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/89).

Abatement Worker (full from 11/17/89).

Abatement Worker Refresher Course (contingent from 6/8/89).

Contractor/Supervisor (contingent from 5/18/89).

Contractor/Supervisor (full from 11/17/89).

Contractor/Supervisor Refresher Course (contingent from 6/8/89).

Inspector/Management Planner (contingent from 5/18/89).

Inspector/Management Planner (full from 12/8/89).

Inspector/Management Planner Refresher Course (contingent from 6/8/89).

Project Designer (contingent from 5/18/89).

Project Designer Refresher Course (contingent from 6/8/89).

(47)(a) *Training Provider:* Niagara County Community College.

Address: Corporate Training Center, P.O. Box 70, Lockport, NY 14095, Contact: Eugene Zinni, Phone: (716) 433-1856.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/5/88).

Abatement Worker (full from 1/25/88).

Abatement Worker Refresher Course (contingent from 1/23/89).

Contractor/Supervisor (contingent from 1/5/88).

Contractor/Supervisor (full from 2/19/88).

Contractor/Supervisor Refresher Course (contingent from 2/8/89).

Inspector/Management Planner (contingent from 5/18/88).

Inspector/Management Planner (full from 12/5/88).

Inspector/Management Planner Refresher Course (contingent from 3/6/89).

(48)(a) *Training Provider:*

Northeastern Analytical Corporation.

Address: 4 Stow Rd., Marlton, NJ 08053, Contact: Robert Howlitt, Phone: (609) 985-8000.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/17/89).

Abatement Worker Refresher Course (contingent from 8/17/89).

Contractor/Supervisor (contingent from 8/17/89).

Contractor/Supervisor Refresher Course (contingent from 8/17/89).

(49)(a) *Training Provider:* O'Brien & Gere.

Address: 5000 Brettonfield Pkwy., P.O. Box 4873, Syracuse, NY 13221, Contact: Michael P. Quirk, Phone: (315) 437-6100.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/19/89).

Abatement Worker (full from 4/10/89).

Abatement Worker Refresher Course (contingent from 9/21/89).

Contractor/Supervisor (contingent from 1/19/89).

Contractor/Supervisor (full from 4/10/89).

Contractor/Supervisor Refresher Course (contingent from 9/21/89).

Inspector/Management Planner (full from 10/27/88).

Inspector/Management Planner Refresher Course (contingent from 2/24/89).

(50)(a) *Training Provider:* Orange/ Ulster BOCES Risk Management Dept.

Address: RD 2 Gibson Rd., Goshen, NY 10924, Contact: Arthur J. Lange, Phone: (914) 294-5431.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

(51)(a) *Training Provider:* P.A. Environmental Corp.

Address: 4240-24F Hutchinson River Pkwy. E, Bronx, NY 10475, Contact: Pichai Arjarasumpun, Phone: (212) 379-6716.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/31/89).

Abatement Worker Refresher Course (contingent from 5/31/89).

Contractor/Supervisor (contingent from 5/31/89).

Contractor/Supervisor Refresher Course (contingent from 5/31/89).

(52)(a) *Training Provider:* Paradigm Environmental Services, Inc.

Address: 961 Lyell Ave., Building 2, Suite 8, Rochester, NY 14606, Contact:

Marsha R. Cummings, Phone: (716) 647-2530.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/19/89).

Abatement Worker Refresher Course (contingent from 10/3/89).

Contractor/Supervisor (contingent from 12/28/89).

Contractor/Supervisor Refresher Course (contingent from 10/6/89).

(53)(a) *Training Provider:* Puerto Rico Environmental Consultants and Training Center, Inc.

Address: Cond. Banco Cooperativo Plaza Office, 302-B, Hato Rey, PR 00917, Contact: Roberto Berber, Phone: (809) 250-6052.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/1/89).

Abatement Worker Refresher Course (contingent from 11/20/89).

Contractor/Supervisor (contingent from 11/1/89).

Contractor/Supervisor Refresher Course (contingent from 11/20/89).

Inspector/Management Planner (contingent from 11/1/89).

Inspector/Management Planner Refresher Course (contingent from 11/20/89).

(54)(a) *Training Provider:* Princeton Testing Laboratory, Inc.

Address: 3490 US Route 1, Princeton Service Center, Princeton, NJ 08543, Contact: Charles Schneekloth, Phone: (609) 452-9050.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 3/21/88).

(55)(a) *Training Provider:* R. J. Fletcher, Inc.

Address: P.O. Box 5021, Utica, NY 13505, Contact: Robert J. Fletcher, Phone: (315) 724-0141.

(b) *Approved Courses:*

Abatement Worker Refresher Course (contingent from 2/24/89).

Inspector/Management Planner Refresher Course (contingent from 2/24/89).

(56)(a) *Training Provider:* SUNY College of Technology at Farmingdale.

Address: Biology Department, Nathan Hale Hall, Farmingdale, NY 11735, Contact: Charles Erlanger, Phone: (516) 420-2000.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 4/24/89).

Inspector/Management Planner Refresher Course (contingent from 4/24/89).

(57)(a) *Training Provider:* Safe Air Environmental Group, Inc.

Address: P.O. Box 1767, Williamsville, NY 14231, Contact: L.J. Beenau or Cronan Long, Phone: (716) 632-0707.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/8/88).

Abatement Worker (full from 4/4/88).

Abatement Worker Refresher Course (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/8/88).

Contractor/Supervisor (full from 4/4/88).

Contractor/Supervisor Refresher Course (contingent from 3/2/89).

(58)(a) *Training Provider:* Safety Training, Inc.

Address: 114 Durst Pl., Yonkers, NY 10704, Contact: Nelson Helu, Phone: (914) 963-6831.

(b) *Approved Course:*

Abatement Worker (contingent from 4/25/88).

(59)(a) *Training Provider:* State University of New York at Buffalo.

Address: Toxicology Research Center, 111 Farber Hall, Buffalo, NY 14214, Contact: Paul J. Kostyniak, Phone: (716) 831-2125.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/19/89).

Abatement Worker Refresher Course (contingent from 2/2/89).

Contractor/Supervisor (contingent from 10/19/89).

Contractor/Supervisor Refresher Course (contingent from 2/2/89).

Inspector/Management Planner (contingent from 1/25/89).

Inspector/Management Planner Refresher Course (contingent from 2/2/89).

(60)(a) *Training Provider:* State of New Jersey Dept. of Health.

Address: CN 360, Trenton, NJ 08625-0360, Contact: James A. Brownlee, Phone: (609) 984-2193.

(b) *Approved Course:*

Inspector/Management Planner Refresher Course (contingent from 3/28/89).

(61)(a) *Training Provider:* Testwell Craig Laboratories of Albany, Inc.

Address: 518 Clinton Ave., Albany, NY 12206, Contact: George W. Stowell, Phone: (518) 436-4114.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/15/88).

Abatement Worker (full from 1/24/89).

Abatement Worker Refresher Course (contingent from 10/17/89).

Contractor/Supervisor (contingent from 6/20/89).

(62)(a) *Training Provider:* The University of Medicine & Dentistry of New Jersey.

Address: Brookwood Plaza II, 45 Knightsbridge Rd., Piscataway, NJ 08854, Contact: Lee Lansten, Phone: (201) 463-5062.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/17/89).

Abatement Worker Refresher Course (contingent from 10/17/89).

Contractor/Supervisor (contingent from 10/17/89).

Contractor/Supervisor Refresher Course (contingent from 10/17/89).

Project Designer Refresher Course (contingent from 10/17/89).

(63)(a) *Training Provider:* Tri-Cities Laborers Training Program.

Address: 5 Lombard St., Schenectady, NY 12304, Contact: Joseph A. Zappone, Phone: (518) 370-3463.

(b) *Approved Courses:*

Abatement Worker (full from 3/21/88).

Abatement Worker Refresher Course (contingent from 10/26/88).

Abatement Worker Refresher Course (full from 2/2/89).

(64)(a) *Training Provider:* Union Occupational Health Center.

Address: 450 Grider St., Buffalo, NY 14215, Contact: Garath L. Tubbs, Phone: (716) 894-9366.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/31/88).

Contractor/Supervisor (contingent from 10/17/89).

(65)(a) *Training Provider:* Utilicom Corp.

Address: 7 Tobey Village Office Park, Pittsford, NY 14534, Contact: Dennis J. Money, Phone: (716) 381-8710.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/20/88).

Abatement Worker (full from 10/31/88).

Abatement Worker Refresher Course (contingent from 4/21/89).

(66)(a) *Training Provider:* Warren Mae Associates.

Address: RD 3, Box 390, Endicott, NY 13760, Contact: Janine C. Rogelstad, Phone: (607) 754-8386.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 1/4/89).

Abatement Worker Refresher Course (contingent from 3/2/89).

(67)(a) *Training Provider:* Western New York Council on Occupational Safety & Health (WNYCOSH).

Address: 450 Grider St., Buffalo, NY 14215, Contact: Jeanne Reilly, Phone: (716) 897-2110.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/28/87).

Abatement Worker (full from 1/24/88).

(68)(a) *Training Provider:* Wetlands & Environmental Technologies, Inc.

Address: 88 Willow Ave., Hackensack, NJ 07601, Contact: John J. Borris, Phone: (201) 361-4799.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/8/89).

Inspector/Management Planner (contingent from 11/8/89).

Project Designer (contingent from 11/8/89).

(69)(a) *Training Provider:* White Lung Association—NY.

Address: 12 Warren St., 4th Fl., New York, NY 10007, Contact: Daniel Manasia, Phone: (212) 619-2270.

(b) *Approved Course:*

Inspector (contingent from 2/23/89).

(70)(a) *Training Provider:* White Lung Association of New Jersey.

Address: 901 Broad St., Newark, NJ 07102, Contact: Antonio Legorreta, Phone: (201) 824-2623.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/19/89).

Contractor/Supervisor (contingent from 6/19/89).

Inspector/Management Planner (contingent from 9/19/89).

(71)(a) *Training Provider:* Zola Sookias Associates Environmental Consultants.

Address: 545 Eighth Ave., Suite 401, New York, NY 10018, Contact: Zola Sookias, Phone: (212) 330-0914.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/6/89).

Contractor/Supervisor (contingent from 10/6/89).

EPA-Approved Training Courses

REGION III—Philadelphia, PA

Regional Asbestos Coordinator: Carole Dougherty, EPA, Region III (3HW-42), 841 Chestnut Bldg., Philadelphia, PA 19107. (215) 597-3160, (FTS) 597-3160.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not

reflect a prioritization. Approvals for Region III training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* A & S Training School, Inc.

Address: 99 South Cameron St., Harrisburg, PA 17101, Contact: Anna Marie Sossong, Phone: (717) 257-1360.

(b) *Approved Courses:*

Abatement Worker (full from 5/20/85).
Contractor/Supervisor (full from 5/20/85).

(2)(a) *Training Provider:* ASBESTOS Removal Co.

Address: 521 D Pulaski Hwy., Joppa, MD 21085, Contact: Nick Thrappas, Phone: (301) 679-6062.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(3)(a) *Training Provider:* Advance Analytical Laboratories Inc.

Address: 30th & North Church Sts., Hazleton, PA 18201, Contact: Steven L. Hahn, Phone: (717) 455-5115.

(b) *Approved Courses:*

Abatement Worker (full from 9/8/88).
Abatement Worker Refresher Course (contingent from 12/29/88).
Contractor/Supervisor (contingent from 8/11/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

(4)(a) *Training Provider:* Aerosol Monitoring & Analysis, Inc.

Address: 1341 Ashton Rd., Suite A, Hanover, MD 21076, Contact: D.R. Twilley, Phone: (301) 684-3327.

(b) *Approved Courses:*

Abatement Worker (full from 11/27/87).
Abatement Worker Refresher Course (contingent from 4/20/89).

Abatement Worker Refresher Course (full from 9/1/89).

Contractor/Supervisor (full from 11/27/87).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Contractor/Supervisor Refresher Course (full from 9/1/89).

Inspector/Management Planner (contingent from 3/1/88).

Inspector/Management Planner (full from 3/31/88).

(5)(a) *Training Provider:* Alcam, Inc.

Address: 113 Poplar St., Box 213, Ambler, PA 19002, Contact: Albert Camburn, Phone: (215) 367-2791.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/26/89).

Contractor/Supervisor (contingent from 1/26/89).

(6)(a) *Training Provider:* Alice Hamilton Center for Occupational Health Center.

Address: 410 7th St., SE, 2nd Fl., Washington, DC 20003, Contact: Brian Christopher, Phone: (202) 543-0005.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/12/87).

Abatement Worker (full from 1/16/88).
Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (full from 1/16/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

Inspector/Management Planner (contingent from 3/9/88).

Inspector/Management Planner (full from 6/20/88).

Inspector/Management Planner Refresher Course (contingent from 3/2/89).

(7)(a) *Training Provider:* American Asbestos Training Institute, Inc.

Address: 2133 Arch St., Philadelphia, PA 19103, Contact: Linda McNeil, Phone: (215) 988-9710.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/16/89).

Contractor/Supervisor (contingent from 5/16/89).

(8)(a) *Training Provider:* American Monitoring & Engineering Services, Inc.

Address: 200 High Tower Boulevard, Suite 205, Pittsburgh, PA 15205, Contact: David J. Drummond, Phone: (412) 788-8300.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 7/21/89).

(9)(a) *Training Provider:* Apex Environmental, Inc.

Address: 7652 Standish Pl., Rockville, MD 20855, Contact: Dorothy Washlick, Phone: (301) 217-9200.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/27/89).

Contractor/Supervisor (contingent from 7/27/89).

(10)(a) *Training Provider:* Asbestos Abatement Council, AWCI.

Address: 1600 Cameron St., Alexandria, VA 22314-2705, Contact: Gene Fisher, Phone: (703) 684-2924.

(b) *Approved Courses:*

Abatement Worker (full from 6/17/87).

Contractor/Supervisor (full from 6/17/87).

(11)(a) *Training Provider:* Asbestos Analytical Association, Inc.

Address: 3208-B George Washington Hwy., Portsmouth, VA 23704, Contact:

Carol A. Holden, Phone: (804) 397-0695.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Contractor/Supervisor (contingent from 10/7/88).

(12)(a) *Training Provider:* Asbestos Environmental Services of Maryland, Inc.

Address: P.O. Box 28, Timonium, MD 21093, Contact: David George, Phone: (301) 584-1490.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 4/6/89).

(13)(a) *Training Provider:* Asbestos Removal Co.

Address: 521 D Pulaski Hwy., Joppa, MD 21085, Contact: Nick Thrappas, Phone: (301) 679-6021.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(14)(a) *Training Provider:* Asbestos Training Center.

Address: 628 Spring St., Fairmont, WV 26554, Contact: Theodore Jackson, Phone: (304) 363-3803.

(b) *Approved Course:*

Abatement Worker (contingent from 12/11/89).

(15)(a) *Training Provider:* Asbestos Workers Local Union No. 24.

Address: 6713 Ammendale Rd., Beltsville, MD 20705, Contact: Thomas Haun, Phone: (301) 937-7636.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/15/88).

Abatement Worker Refresher Course (contingent from 12/1/88).

Contractor/Supervisor (contingent from 12/1/88).

Contractor/Supervisor Refresher Course (contingent from 12/1/88).

(16)(a) *Training Provider:* Associated Thermal Services.

Address: 121 Edgewood Ave., Pittsburgh, PA 15218, Contact: Renee Yuttaze, Phone: (412) 247-4003.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

Inspector/Management Planner (contingent from 12/11/89).

Project Designer (contingent from 12/11/89).

(17)(a) *Training Provider:* Atlantic Environmental Resources Inc.
Address: 10111-B Bacon Dr., Beltsville, MD 20705, Contact: John E Kee, Phone: (301) 595-1014.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(18)(a) *Training Provider:* BARCO Enterprises, Inc.

Address: 2439 North Charles St., Baltimore, MD 21218, Contact: Bart Harrison, Phone: (301) 889-7770.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(19)(a) *Training Provider:* Biospherics, Inc.

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Marian Meiselman, Phone: (301) 369-3900.

(b) *Approved Courses:*

Abatement Worker (full from 10/1/87).

Abatement Worker Refresher Course (contingent from 8/12/88).

Abatement Worker Refresher Course (full from 10/31/88).

Contractor/Supervisor (full from 10/1/87).

Contractor/Supervisor Refresher Course (contingent from 8/12/88).

Contractor/Supervisor Refresher Course (full from 10/31/88).

Inspector/Management Planner (contingent from 5/20/88).

Inspector/Management Planner (full from 8/15/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

Inspector/Management Planner Refresher Course (full from 3/20/89).

(20)(a) *Training Provider:* Briggs Associates, Inc. Maryland.

Address: 8300 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Ross Voorhees, Phone: (301) 381-4434.

(b) *Approved Course:*

Abatement Worker (contingent from 1/30/89).

(21)(a) *Training Provider:* Brujos Scientific, Inc.

Address: 505 Drury Ln., Baltimore, MD 21229, Contact: Robert Olcerst, Phone: (301) 566-0859.

(b) *Approved Courses:*

Abatement Worker (full from 11/21/88).

Contractor/Supervisor (contingent from 9/29/88).

(22)(a) *Training Provider:* Business Industrial Safety Supplies.

Address: 118 East Patapsco Ave., Baltimore, MD 21225, Contact: Ronald Mace, Phone: (301) 354-2477.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/20/89).

Contractor/Supervisor (contingent from 11/20/89).

(23)(a) *Training Provider:* Camtech, Inc.

Address: 4550 McKnight Rd., Suite 202, Pittsburgh, PA 15237, Contact: Leslie Connors, Phone: (412) 931-1210.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 10/13/89).

(24)(a) *Training Provider:* Carpenters Joint Apprenticeship Committee of Western Pennsylvania.

Address: 495 Mansfield Ave., Pittsburgh, PA 15205, Contact: William Shehab, Phone: (412) 922-6200.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/1/88).

Abatement Worker (full from 10/6/89).

Abatement Worker Refresher Course (contingent from 10/20/89).

Contractor/Supervisor (contingent from 11/27/89).

Contractor/Supervisor (full from 11/27/89).

Contractor/Supervisor Refresher Course (full from 11/27/89).

(25)(a) *Training Provider:* Center for Environmental & Occupational Training, Inc.

Address: 814 East Pittsburgh Plaza, Pittsburgh, PA 15112, Contact: David Ginsburg, Phone: (412) 823-1002.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/15/88).

Abatement Worker (full from 12/8/88).

Abatement Worker Refresher Course (full from 1/19/89).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 12/8/88).

Contractor/Supervisor Refresher Course (full from 1/19/89).

Inspector/Management Planner (contingent from 3/1/89).

Inspector/Management Planner Refresher Course (contingent from 3/1/89).

Project Designer (contingent from 6/29/89).

(26)(a) *Training Provider:* Center for Hazardous Materials Research.

Address: University of Pittsburgh Applied, Research Center, 320

William Pitt Way, Pittsburgh, PA 15238, Contact: Steven T. Ostheim, Phone: (412) 826-5320.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/28/88).

Contractor/Supervisor (contingent from 11/28/88).

(27)(a) *Training Provider:* Charles County Community College.

Address: Mitchell Rd., Box 910, LaPlata, MD 20646-0910, Contact: Jake Bair, Phone: (301) 934-2251.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/26/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 1/26/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

(28)(a) *Training Provider:* Commonwealth of Pennsylvania Dept. of Public Welfare.

Address: P.O. Box 2675, Harrisburg, PA 17120-0012, Contact: Gerald A. Donatucci, Phone: (717) 783-9543.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/3/88).

Abatement Worker (full from 11/15/88).

Abatement Worker Refresher Course (contingent from 8/17/89).

(29)(a) *Training Provider:* Delaware Technical & Community College Terry Campus/Stanton Campus.

Address: 1798 North DuPont Pkwy., P.O. Box 897, Dover, DE 19903, Contact: David Stanley, Phone: (302) 454-3900.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/20/88).

Abatement Worker Refresher Course (contingent from 3/1/88).

Contractor/Supervisor (contingent from 4/20/88).

Contractor/Supervisor Refresher Course (contingent from 3/1/88).

(30)(a) *Training Provider:* Dept. of the Environment, State of Maryland.

Address: 2500 Broening Hwy., Baltimore, MD 21224, Contact: Barbara Conrad, Phone: (301) 631-3847.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 4/14/89).

(31)(a) *Training Provider:* District Council of Eastern Pennsylvania.

Address: 2163 Berry Hill St., Harrisburg, PA 17104, Contact: Gerald D. Tamarantz, Phone: (717) 564-2707.

(b) *Approved Courses:*

Abatement Worker (full from 1/30/89).
Abatement Worker Refresher Course
(contingent from 8/17/89).

(32)(a) *Training Provider:* Drexel University, Office of Continuing Professional Education.

Address: 32nd & Chestnut Sts., Philadelphia, PA 19104, Contact: Robert Ross, Phone: (215) 895-2156.

(b) *Approved Courses:*

Abatement Worker (interim from 9/1/86 to 11/11/87).

Abatement Worker (full from 11/12/87).
Abatement Worker Refresher Course
(contingent from 12/29/88).

Contractor/Supervisor (interim from 9/1/86 to 11/11/87).

Contractor/Supervisor (full from 11/12/87).

Contractor/Supervisor Refresher Course
(contingent from 12/29/88).

Inspector/Management Planner
(contingent from 3/8/88).

Inspector/Management Planner (full from 3/14/88).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

Project Designer (contingent from 11/27/89).

(33)(a) *Training Provider:* Dynamac Corp.

Address: 11140 Rockville Pike, Rockville, MD 20852, Contact: Richard A. De Blasio, Phone: (301) 468-2500.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 3/2/89).

Inspector/Management Planner
(contingent from 9/1/88).

Inspector/Management Planner Refresher Course (contingent from 6/26/89).

(34)(a) *Training Provider:* E.I. Dupont De Nemours & Co. Spruance Plant.

Address: P.O. Box 27001, Richmond, VA 23261, Contact: Clarence P. Mihal, Jr., Phone: (804) 743-2948.

(b) *Approved Course:*

Abatement Worker (contingent from 11/14/88).

(35)(a) *Training Provider:* Eagle Industrial Hygiene Association Inc.

Address: 405 Masons Mill Rd., Huntingdon Valley, PA 19006, Contact: Stephen R. Bell, Phone: (215) 657-2261.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Abatement Worker (full from 7/14/89).

Abatement Worker Refresher Course
(contingent from 10/30/89).

Contractor/Supervisor (contingent from 4/6/89).

Contractor/Supervisor (full from 7/14/89).

Contractor/Supervisor Refresher Course
(contingent from 10/30/89).

Inspector/Management Planner
(contingent from 5/16/89).

Inspector/Management Planner Refresher Course (contingent from 7/20/89).

Project Designer (contingent from 12/11/89).

(36)(a) *Training Provider:* Environmental Education Associates.

Address: 28 West Main St., Plymouth, PA 18651, Contact: Harry H. West, Phone: (717) 779-4242.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/17/89).

Contractor/Supervisor (contingent from 5/17/89).

Inspector (contingent from 5/17/89).

(37)(a) *Training Provider:* Environmental Training & Consultants, Inc.

Address: 2 Bala Plaza, Suite 300, Bala Cynwyd, PA 19004, Contact: Linda L. Kershaw, Phone: (215) 667-4685.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 4/6/89).

Inspector/Management Planner
(contingent from 4/6/89).

(38)(a) *Training Provider:* Environmental Training, Inc.

Address: 10 Industrial Hwy., Building N, Tinicum Industrial Park, Philadelphia, PA 19113, Contact: Gary D. Hyne, Phone: (215) 521-5469.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/89).

Abatement Worker Refresher Course
(contingent from 6/29/89).

Contractor/Supervisor (contingent from 3/1/89).

Contractor/Supervisor Refresher Course
(contingent from 6/29/89).

(39)(a) *Training Provider:* Facilities Management Consultants, Inc.

Address: P.O. Box 309, Cecil, PA 15321, Contact: Edward Monaco, Phone: (412) 745-1770.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).

Abatement Worker (full from 10/18/88).

Abatement Worker Refresher Course
(contingent from 7/21/89).

Abatement Worker Refresher Course
(full from 10/5/89).

Contractor/Supervisor (full from 10/18/88).

Contractor/Supervisor Refresher Course
(contingent from 7/21/89).

Contractor/Supervisor Refresher Course
(full from 10/5/89).

(40)(a) *Training Provider:* GA Environmental Services, Inc.

Address: Pier 5 Penn's Landing, Philadelphia, PA 19106, Contact: Frank E. Cona, Phone: (215) 351-4045.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/17/89).

Abatement Worker Refresher Course
(contingent from 12/13/89).

Contractor/Supervisor (contingent from 8/17/89).

Contractor/Supervisor Refresher Course
(contingent from 12/13/89).

Inspector/Management Planner
(contingent from 11/7/89).

Inspector/Management Planner Refresher Course (contingent from 11/7/89).

Project Designer (contingent from 8/17/89).

Project Designer Refresher Course
(contingent from 12/13/89).

(41)(a) *Training Provider:* GST Co.

Address: Freedom Professional Bldg., 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Norma Stanford, Phone: (412) 772-7488.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/14/88).

Abatement Worker (full from 12/5/88).

Abatement Worker Refresher Course
(contingent from 1/30/89).

Contractor/Supervisor (contingent from 11/14/88).

Contractor/Supervisor (full from 12/5/88).

Contractor/Supervisor Refresher Course
(contingent from 1/30/89).

Inspector/Management Planner
(contingent from 12/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/12/89).

(42)(a) *Training Provider:* Galson Technical Services, Inc.

Address: 5170 Campus Dr., Suite 200, Plymouth Meeting, PA 19462, Contact: Ernest L. Sweet, Phone: (215) 432-0506.

(b) *Approved Course:*

Inspector/Management Planner
(contingent from 6/17/88).

(43)(a) *Training Provider:* General Physics Corp.

Address: 6700 Alexander Bell Dr., Columbia, MD 21046, Contact: Andrew K. Marsh, Phone: (301) 290-2360.

(b) Approved Courses:

Abatement Worker (contingent from 4/6/89).
Contractor/Supervisor (contingent from 4/6/89).

(44)(a) Training Provider: Genty Associates.

Address: 6080 Woodland Ave., Philadelphia, PA 19143, Contact: Frank Genty, Phone: (215) 727-4420.

(b) Approved Course:

Abatement Worker (contingent from 9/14/89).

(45)(a) Training Provider: Gerald T. Fenton, Inc.

Address: 3152 Bladensburg Rd., Washington, DC 20018, Contact: James R. Foster, Phone: (202) 269-2112.

(b) Approved Courses:

Abatement Worker (contingent from 12/15/88).

Contractor/Supervisor (contingent from 12/15/88).

(46)(a) Training Provider: Hazard Abatement Training Center.

Address: 101 East Lancaster Ave., Wayne, PA 19087, Contact: Robert Mautner, Phone: (215) 971-0830.

(b) Approved Course:

Inspector/Management Planner (contingent from 4/12/88).

(47)(a) Training Provider: Hazardous Materials Management.

Address: 932 W Patipso Ave., Baltimore, MD 21230, Contact: Anthony Bizzari, Phone: (301) 355-6586.

(b) Approved Courses:

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(48)(a) Training Provider: Heat & Frost Insulators & Asbestos Workers Local Union No. 2.

Address: Moon-Clinton Rd., P.O. Box 595, Clinton, PA 15026, Contact: Terry Larkin, Phone: (412) 276-3711.

(b) Approved Courses:

Abatement Worker (contingent from 9/28/88).

Abatement Worker (full from 10/25/88).

Abatement Worker Refresher Course (contingent from 9/28/88).

Abatement Worker Refresher Course (full from 12/8/88).

Contractor/Supervisor (contingent from 9/28/88).

Contractor/Supervisor Refresher Course (contingent from 9/28/88).

(49)(a) Training Provider: Heat & Frost Insulators & Asbestos Workers Local Union No. 23.

Address: 42 Lynwood Dr., Rd. 4, Allentown, PA 18103, Contact: Jos Kloczek, Phone: (717) 564-7563.

(b) Approved Course:

Abatement Worker (contingent from 10/20/88).

(50)(a) Training Provider: Ind. Tra. Co. Ltd. Address: 18 South 22nd St., Richmond, VA 23223-7024, Contact: Vera Barley, Phone: (804) 648-7838.

(b) Approved Courses: Abatement Worker (full from 9/15/87). Abatement Worker Refresher Course (contingent from 8/12/88). Contractor/Supervisor (full from 9/15/87). Inspector/Management Planner (full from 9/16/88). Inspector/Management Planner Refresher Course (full from 3/1/89).

(51)(a) Training Provider:

International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 38.

Address: 315-317 North Washington St., Wilkes-Barre, PA 18703, Contact: Robert Hughes, Phone: (717) 829-0634.

(b) Approved Course:

Abatement Worker (contingent from 3/2/89).

(52)(a) Training Provider: JMR Associates.

Address: P.O. Box 9895, Philadelphia, PA 19140, Contact: Joseph Faulk III, Phone: (215) 227-3035.

(b) Approved Courses:

Abatement Worker (contingent from 8/24/89).

Abatement Worker (full from 9/15/89).

Contractor/Supervisor (contingent from 8/24/89).

Contractor/Supervisor (full from 9/15/89).

(53)(a) Training Provider: Jenkins Professionals, Inc.

Address: 5022 Campbell Blvd., Suite F, Baltimore, MD 21236, Contact: Larry Jenkins, Phone: (301) 529-3553.

(b) Approved Courses:

Abatement Worker (contingent from 2/10/88).

Abatement Worker Refresher Course (contingent from 3/2/89).

Contractor/Supervisor (contingent from 2/10/88).

Contractor/Supervisor Refresher Course (contingent from 3/2/89).

Inspector/Management Planner (contingent from 11/1/89).

(54)(a) Training Provider: Laborers District Council Training Fund of Baltimore & Vicinity.

Address: 7400 Buttercup Rd., Sykesville, MD 21784, Contact: Robert Williams, Phone: (301) 549-1800.

(b) Approved Course:

Abatement Worker (contingent from 4/10/89).

(55)(a) Training Provider: Laborers District Council of Eastern Pennsylvania.

Address: 2163 Berryhill St., Harrisburg, PA 17104, Contact: Gerald D. Temarantz, Phone: (717) 564-2707.

(b) Approved Courses:

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 1/30/89).

Abatement Worker Refresher Course (contingent from 8/17/89).

(56)(a) Training Provider: Laborers District Council of Western Pennsylvania.

Address: 1101 Fifth Ave., Pittsburgh, PA 15219, Contact: Robert F. Ferrari, Phone: (412) 391-8533.

(b) Approved Courses:

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 10/31/88).

Abatement Worker Refresher Course (contingent from 3/2/89).

Contractor/Supervisor (contingent from 6/17/88).

Contractor/Supervisor (full from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 8/17/89).

(57)(a) Training Provider: Laborers District Council, Education Training Fund of Philadelphia & Vicinity.

Address: 500 Lancaster Ave., Exton, PA 19341, Contact: Jerry Roseman, Phone: (215) 836-1175.

(b) Approved Courses:

Abatement Worker (interim from 11/1/87 to 12/14/87).

Abatement Worker (contingent from 2/18/88).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

(58)(a) Training Provider: Marcus Environmental.

Address: 6345 Courthouse Rd., P.O. Box 227, Prince George, VA 23875, Contact: Susan M. Wilcox, Phone: (804) 733-1855.

(b) Approved Courses:

Abatement Worker (contingent from 1/26/89).

Contractor/Supervisor (contingent from 1/26/89).

(59)(a) Training Provider: Maryland Department of the Environment.

Address: 2500 Broening Hwy., Baltimore, MD 21224, Contact: Barbara Conrad, Phone: (301) 631-3847.

(b) Approved Courses:

Abatement Worker (contingent from 11/16/89).

Contractor/Supervisor (contingent from 11/16/89).

(60)(a) Training Provider: Maryland Industrial Safety Training Services.

Address: 668 Shore Dr., Joppa, MD 21085, Contact: Brain Stewart, Phone: (301) 679-9362.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(61)(a) *Training Provider:* Medical College of Virginia Virginia Commonwealth University Dept. of Preventive Medicine.

Address: P.O. Box 212, Richmond, VA 23298, Contact: Leonard Vance, Phone: (804) 786-9785.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 10/2/87).

Contractor/Supervisor (full from 11/2/87).

Contractor/Supervisor Refresher Course (contingent from 8/12/88).

Inspector/Management Planner (full from 2/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

(62)(a) *Training Provider:* National Association of Minority Contractors.

Address: 806 15th St., NW, Washington, DC 20012, Contact: Ralph C. Thomas, III, Phone: (202) 347-8259.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/19/89).

Contractor/Supervisor (contingent from 4/19/89).

(63)(a) *Training Provider:* National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW, Washington, DC 20036, Contact: Scott Schneider, Phone: (202) 887-1980.

(b) *Approved Courses:*

Abatement Worker (interim from 11/1/86 to 8/1/87).

Abatement Worker (contingent from 9/18/87).

Abatement Worker (full from 9/18/87).

Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (interim from 11/1/86 to 8/1/87).

Contractor/Supervisor (contingent from 9/18/87).

Contractor/Supervisor (full from 9/18/87).

Contractor/Supervisor Refresher Course (contingent from 5/18/89).

Inspector (contingent from 5/26/88).

(64)(a) *Training Provider:*

Occupational Medical Center.

Address: 4451 Parliament Pl., Lanham, MD 20706, Contact: Ellen Kite, Phone: (301) 306-0632.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/28/88).

Abatement Worker Refresher Course (contingent from 12/13/89).

Contractor/Supervisor (contingent from 9/25/89).

Contractor/Supervisor Refresher Course (contingent from 12/13/89).

(65)(a) *Training Provider:* Old Dominion University Office of Continuing Education College of Health Services.

Address: 204 Old Science Building, Norfolk, VA 23529-0290, Contact: Shirley Glover, Phone: (804) 440-4256.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).

Abatement Worker (full from 7/27/88).

(66)(a) *Training Provider:* Oneil M. Banks, Inc.

Address: 336 South Main St., Bel Air, MD 21014, Contact: Oneil M. Banks, Phone: (301) 879-4676.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/5/88).

Abatement Worker (full from 2/20/89).

Abatement Worker Refresher Course (contingent from 10/12/89).

Contractor/Supervisor (contingent from 1/5/88).

Contractor/Supervisor Refresher Course (contingent from 10/12/89).

Inspector (contingent from 3/14/88).

(67)(a) *Training Provider:* Paskal Environmental Services.

Address: 6010 Sonoma Rd., Bethesda, MD 20817, Contact: Steve Paskal, Phone: (301) 571-1507.

(b) *Approved Course:*

Abatement Worker (contingent from 4/28/88).

(68)(a) *Training Provider:*

Pennsylvania Dept. of Welfare.

Address: Room 103 Capitol Associates Bldg., P.O. Box 2675, Harrisburg, PA 17105, Contact: Gerald A. Donatucci, Phone: (717) 783-9543.

(b) *Approved Course:*

Abatement Worker Refresher Course (contingent from 8/17/89).

(69)(a) *Training Provider:* Philadelphia Electric Co.

Address: Barbados Training Center, Norristown, PA 19401, Contact: John J. Stankiewicz, Phone: (215) 270-8600.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/19/88).

Abatement Worker (full from 7/28/89).

Abatement Worker Refresher Course (contingent from 2/24/89).

Abatement Worker Refresher Course (full from 11/15/89).

(70)(a) *Training Provider:* Phoenix Safety Associates, Ltd.

Address: P.O. Box 545, Phoenixville, PA 19460, Contact: Janice Sharkey, Phone: (215) 935-1770.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 9/1/88).

(71)(a) *Training Provider:* Quality Specialties, Inc.

Address: P.O. Box 46, 109 South 15th Ave., Hopewell, VA 23860, Contact: Lewis Stevenson, Phone: (804) 458-5855.

(b) *Approved Course:*

Abatement Worker (contingent from 8/8/88).

(72)(a) *Training Provider:* RCW Environmental Consulting & Training.

Address: 711 Shetland St., Rockville, MD 20851, Contact: Robert C. Wyatt, Phone: (301) 251-0291.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/1/89).

Contractor/Supervisor (contingent from 8/1/89).

Inspector/Management Planner (contingent from 11/1/89).

(73)(a) *Training Provider:* Roofer Local No. 30/Roofing & Sheet Metal Contractors of Philadelphia & Vicinity Joint Apprentice Program.

Address: 433 Kelly Dr., Philadelphia, PA 19129, Contact: Richard Harvey, Phone: (215) 849-4800.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/21/89).

Contractor/Supervisor (contingent from 7/21/89).

(74)(a) *Training Provider:* S.G. Brown, Inc.

Address: 2701 Sonic Dr., Virginia Beach, VA 23456, Contact: Sandra A. Akers, Phone: (804) 468-0027.

(b) *Approved Course:*

Abatement Worker (contingent from 7/12/88).

(75)(a) *Training Provider:* STI, Inc.

Address: P.O. Box 1029, Aberdeen, MD 21001, Contact: Terry F. Carraway, Jr., Phone: (301) 575-7844.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/19/88).

Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (contingent from 7/19/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).
 Inspector/Management Planner (contingent from 12/15/88).
 Inspector/Management Planner Refresher Course (contingent from 10/30/89).

(76)(a) *Training Provider*: STIC Corporation.

Address: Box 347, Wilkes-Barre, PA 18703, Contact: Ed Barrett, Phone: (717) 829-3614.

(b) *Approved Course*:

Contractor/Supervisor (contingent from 4/7/89).

(77)(a) *Training Provider*: Safety Management Institute.

Address: P.O. Box 1844, Altoona, PA 16603, Contact: Christopher Tate, Phone: (814) 946-1221.

(b) *Approved Courses*:

Abatement Worker (Approval Suspended 10/2/89).

Abatement Worker Refresher Course (Approval Suspended 10/2/89).

Contractor/Supervisor (Approval Suspended 10/2/89).

Contractor/Supervisor Refresher Course (Approval Suspended 10/2/89).

Inspector/Management Planner (Approval Suspended 10/2/89).

Inspector/Management Planner Refresher Course (Approval Suspended 10/2/89).

(78)(a) *Training Provider*: Schneider Engineers.

Address: 98 Vanadium Rd., Bridgeville, PA 15017, Contact: Amy Couch Shultz, Phone: (412) 221-1100.

(b) *Approved Courses*:

Abatement Worker (contingent from 2/22/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 2/22/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Inspector/Management Planner (contingent from 2/22/89).

Inspector/Management Planner Refresher Course (contingent from 4/20/89).

(79)(a) *Training Provider*: Temple University College of Engineering Asbestos Abatement Center.

Address: 12th & Norris Sts., Philadelphia, PA 19122, Contact: Lester Levin, Phone: (215) 787-6479.

(b) *Approved Courses*:

Abatement Worker (full from 10/21/87).
 Contractor/Supervisor (contingent from 9/28/87).

Contractor/Supervisor (full from 10/1/87).

Inspector/Management Planner (full from 10/13/87).

Inspector/Management Planner Refresher Course (full from 12/19/88).
 Project Designer (contingent from 3/20/89).

(80)(a) *Training Provider*: Tetra Services, Inc.

Address: Pleasant Valley Rd., P.O. Box 295A, Trafford, PA 15085, Contact: Dominic R. Medure, Phone: (412) 744-3377.

(b) *Approved Course*:

Abatement Worker (contingent from 4/20/89).

(81)(a) *Training Provider*: The Glaser Co.

Address: 200 Kanawha Ter., St. Albans, WV 25177, Contact: Stephen P. Glaser, Phone: (304) 722-2832.

(b) *Approved Courses*:

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 4/6/89).

(82)(a) *Training Provider*: The J.O.B.S. Company.

Address: P.O. Box 3763, Charleston, WV 25337, Contact: Ann Hyre, Phone: (304) 344-0048.

(b) *Approved Courses*:

Abatement Worker (contingent from 5/28/89).

Contractor/Supervisor (contingent from 5/25/89).

(83)(a) *Training Provider*: Tracor Jitco, Inc.

Address: 1601 Research Blvd., Rockville, MD 20850, Contact: Daniel O. Chute, Phone: (301) 984-2718.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/4/89).

Contractor/Supervisor (contingent from 1/4/89).

Inspector/Management Planner (contingent from 1/4/89).

(84)(a) *Training Provider*: United Environmental Systems, Inc.

Address: 104-106 Arch St., Philadelphia, PA 19106, Contact: Michael Yaron, Phone: (215) 829-9454.

(b) *Approved Courses*:

Abatement Worker (contingent from 8/3/88).

Contractor/Supervisor (contingent from 6/30/88).

Inspector/Management Planner (contingent from 7/8/88).

(85)(a) *Training Provider*: University of Pittsburgh Graduate School of Public Health.

Address: Dept. of Industrial Environmental, Health Sciences,

Pittsburgh, PA 15261, Contact: Dietrich A. Weyel, Phone: (412) 624-3042.

(b) *Approved Courses*:

Abatement Worker (contingent from 3/6/88).

Abatement Worker (full from 6/6/88).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 3/6/88).

Contractor/Supervisor (full from 6/6/88).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

(86)(a) *Training Provider*: University of Scranton Technology Center.

Address: Scranton, PA 18510-2192, Contact: Jerome P. De Santo, Phone: (717) 961-4050.

(b) *Approved Course*:

Inspector/Management Planner (contingent from 6/26/89).

(87)(a) *Training Provider*: Volz Environmental Services, Inc.

Address: 3010 William Pitt Way, Pittsburgh, PA 15238, Contact: Greg Ashman, Phone: (412) 826-3150.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/3/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Abatement Worker Refresher Course (full from 11/21/89).

Contractor/Supervisor (contingent from 10/3/88).

Contractor/Supervisor (full from 1/23/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Contractor/Supervisor Refresher Course (full from 11/21/89).

Inspector/Management Planner (contingent from 10/3/88).

Inspector/Management Planner Refresher Course (contingent from 4/20/89).

Inspector/Management Planner Refresher Course (full from 12/18/89).

Project Designer (contingent from 9/1/89).

Project Designer (full from 12/8/89).

Project Designer Refresher Course (contingent from 12/13/89).

(88)(a) *Training Provider*: Waco, Inc.

Address: Highway 925, N, P.O. Box 759, Waldorf, MD 20601, Contact: Wayne Cooper, Phone: (301) 843-2488.

(b) *Approved Courses*:

Abatement Worker (full from 9/15/87).

Abatement Worker Refresher Course (contingent from 8/12/88).

Contractor/Supervisor (full from 9/15/87).

Contractor/Supervisor Refresher Course (contingent from 3/1/89).
Inspector/Management Planner Refresher Course (contingent from 3/11/88).

(89)(a) *Training Provider:* West Virginia Laborers Training Trust Fund.
Address: One Monogalia St., Charleston, WV 25302, Contact: Wetzel Harvey, Phone: (304) 346-0581.

(b) *Approved Course:*
Abatement Worker (contingent from 8/29/88).
(90)(a) *Training Provider:* West Virginia University Extension Service.
Address: 704 Knapp Hall, P.O. Box 6031, Morgantown, WV 26506-6031, Contact: Robert L. Moore, Phone: (304) 293-4013.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/20/88).

Abatement Worker Refresher Course (contingent from 11/2/89).
Contractor/Supervisor (contingent from 10/20/88).
Contractor/Supervisor Refresher Course (contingent from 11/2/89).
Inspector/Management Planner (contingent from 5/9/88).
Inspector/Management Planner Refresher Course (contingent from 4/20/89).

Inspector/Management Planner Refresher Course (full from 4/26/89).
(91)(a) *Training Provider:* White Lung Association.
Address: 1114 Cathedral St., Baltimore, MD 21201, Contact: James Fite, Phone: (301) 727-6029.

(b) *Approved Courses:*
Abatement Worker (contingent from 2/18/88).
Abatement Worker (full from 6/6/88).
Abatement Worker Refresher Course (contingent from 2/23/89).
Contractor/Supervisor (contingent from 2/18/88).
Contractor/Supervisor (full from 6/6/88).

Contractor/Supervisor Refresher Course (contingent from 2/23/89).
Inspector/Management Planner (contingent from 1/4/88).
Inspector/Management Planner (full from 2/15/88).
Inspector/Management Planner Refresher Course (contingent from 12/29/88).

(92)(a) *Training Provider:* William L. James Enterprises, Inc.
Address: P.O. Box 1478, Scranton, PA 18501-1478, Contact: William L. James, Phone: (717) 344-5830.

(b) *Approved Courses:*
Abatement Worker Refresher Course (contingent from 11/7/89).

Contractor/Supervisor (contingent from 4/20/88).
Contractor/Supervisor Refresher Course (contingent from 11/7/87).

EPA-Approved Training Courses REGION IV—Atlanta, GA

Regional Asbestos Coordinator: Liz Wilde, EPA, Region IV, 345 Courtland St., NE, (4APT-PT), Atlanta, GA 30365. (404) 347-5014, (FTS) 257-5014.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region IV training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* A.S.C. Consultants, Inc.
Address: P.O. Box 31, Waynesville, NC 28786, Contact: Terry LaDuke, Phone: (704) 452-3449.

(b) *Approved Course:*
Abatement Worker (contingent from 6/22/89).

(2)(a) *Training Provider:* AHP Research, Inc.
Address: 1505 Johnson's Ferry Rd., Marietta, GA 30062, Contact: Dwight Brown, Phone: (404) 565-0061.

(b) *Approved Courses:*
Abatement Worker (contingent from 11/3/89).

Contractor/Supervisor (contingent from 11/13/89).
Contractor/Supervisor Refresher Course (contingent from 1/6/89).
Inspector/Management Planner (interim from 5/28/86 to 12/13/87).
Inspector/Management Planner (full from 12/14/87).

(3)(a) *Training Provider:* ARI Institute.
Address: P.O. Box 60599, Nashville, TN 37206, Contact: Paul Morris, Phone: (615) 228-3820.

(b) *Approved Course:*
Abatement Worker (contingent from 12/6/89).

(4)(a) *Training Provider:* ASC Asbestos Training Center.
Address: 13551 Brown Road, Denham Springs, LA 70726, Contact: Don Hoffman, Phone: (504) 664-6884.

(b) *Approved Courses:*
Abatement Worker (contingent from 2/4/90).

Abatement Worker Refresher Course (contingent from 2/4/90).
Contractor/Supervisor (contingent from 2/4/90).

Inspector/Management Planner (contingent from 2/5/90).

Inspector/Management Planner Refresher Course (contingent from 2/5/90).
Project Designer (contingent from 2/5/90).

(5)(a) *Training Provider:* ATEC Associates, Inc.
Address: 129 West Valley Ave., Birmingham, AL 35209-3691, Contact: W. David Yates, Phone: (205) 945-9224.

(b) *Approved Courses:*
Abatement Worker (contingent from 4/14/89).

Contractor/Supervisor (contingent from 4/14/89).
Inspector/Management Planner (contingent from 4/14/89).

(6)(a) *Training Provider:* ATI Environmental Services.
Address: P.O. Box 3044, Louisville, KY 40201, Contact: Tim Ellis, Phone: (502) 589-5308.

(b) *Approved Courses:*
Abatement Worker (full from 1/12/88).
Abatement Worker Refresher Course (contingent from 2/21/89).
Contractor/Supervisor (full from 1/12/88).

Contractor/Supervisor Refresher Course (contingent from 2/21/89).
(7)(a) *Training Provider:* All Gulf Contractors, Inc.

Address: 3654 Halls Mill Rd., Mobile, AL 36693, Contact: Robert Pettie, Phone: (205) 665-5199.

(b) *Approved Course:*
Abatement Worker (contingent from 2/22/89).

(8)(a) *Training Provider:* American Environmental Safety Institute.
Address: P.O. Box 212116, Columbia, SC 29221-2116, Contact: Kim Cleveland, Phone: (803) 731-2986.

(b) *Approved Courses:*
Abatement Worker (contingent from 1/29/89).

Abatement Worker Refresher Course (contingent from 12/16/88).
Contractor/Supervisor (full from 10/17/88).

Contractor/Supervisor Refresher Course (contingent from 12/16/88).
Inspector/Management Planner (full from 2/8/89).

(9)(a) *Training Provider:* Arch Training Services, Inc.
Address: Hotel Royal Plaza, P.O. Box 22203, Lake Buena Vista, FL 32830-2203, Contact: Arleen Folkes Goldberg, Phone: (407) 827-3985.

(b) *Approved Courses:*
Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

Inspector/Management Planner (contingent from 3/2/89).

(10)(a) *Training Provider*: Asbestos Abatement Associates, Inc.

Address: P.O. Box 8178, Spartanburg, SC 29305, Contact: Joy Finch, Phone: (803) 582-1222.

(b) *Approved Courses*:

Abatement Worker (contingent from 2/17/89).

Abatement Worker (full from 6/26/89).

Contractor/Supervisor (contingent from 3/7/89).

Contractor/Supervisor (full from 9/15/89).

Project Designer (contingent from 11/14/89).

Project Designer Refresher Course (contingent from 10/18/89).

Project Designer Refresher Course (full from 11/21/89).

(11)(a) *Training Provider*: Asbestos Consultants, Inc.

Address: P.O. Box 9054, Greensboro, NC 27408, Contact: Thomas Petty, Phone: (919) 275-3907.

(b) *Approved Course*:

Inspector/Management Planner (contingent from 3/9/88).

(12)(a) *Training Provider*: Asbestos Consulting & Training Systems.

Address: 903 Northwest 6th Ave., Ft. Lauderdale, FL 33311, Contact: James F. Stump, Phone: (305) 524-7208.

(b) *Approved Courses*:

Abatement Worker (full from 5/8/88).

Contractor/Supervisor (contingent from 2/22/89).

(13)(a) *Training Provider*: Asbestos Disease Association.

Address: 800 West Platt St., Tampa, FL 33706, Contact: John D. Householter, Phone: (813) 254-0003.

(b) *Approved Courses*:

Contractor/Supervisor (contingent from 12/11/89).

Inspector/Management Planner (contingent from 12/11/89).

(14)(a) *Training Provider*: Asbestos Technical Resource Center, Inc.

Address: P.O. Box 2755, Covington, GA 30209-2755, Contact: Timothy E. Fuller, Phone: (404) 361-9182.

(b) *Approved Courses*:

Abatement Worker (contingent from 6/2/89).

Abatement Worker Refresher Course (full from 6/7/89).

Contractor/Supervisor (contingent from 6/2/89).

Contractor/Supervisor (full from 8/10/89).

Contractor/Supervisor Refresher Course (full from 6/7/89).

(15)(a) *Training Provider*: Atlantic Environmental Consulting, Inc.

Address: 12200 Southwest 132 Ct., Miami, FL 33186, Contact: Stephan R. Schanemann, Phone: (305) 232-6364.

(b) *Approved Course*:

Abatement Worker (contingent from 8/11/88).

(16)(a) *Training Provider*: BCM Engineers, Inc.

Address: 108 St. Anthony St., P.O. Box 1784, Mobile, AL 36633, Contact: H. Conrad Freeman, Phone: (205) 433-3981.

(b) *Approved Courses*:

Inspector/Management Planner (full from 11/11/87).

Inspector/Management Planner Refresher Course (contingent from 11/10/88).

Project Designer (full from 12/8/87).

Project Designer Refresher Course (contingent from 5/4/89).

(17)(a) *Training Provider*: Betchel Construction, Inc.

Address: P.O. Box 3218, Florida City, FL 33034, Contact: R.C. Slover, Phone: (305) 246-6565.

(b) *Approved Course*:

Abatement Worker (contingent from 3/13/89).

(18)(a) *Training Provider*: Big Bend Abatement, Inc.

Address: 3542 West Orange Ave., Tallahassee, FL 32310, Contact: Robert Law, Phone: (904) 576-0130.

(b) *Approved Course*:

Abatement Worker (contingent from 4/28/89).

(19)(a) *Training Provider*: Briggs Associates Int'l. Inc.

Address: 4209 Vineland Rd., Suites J-9/10, Orlando, FL 32811, Contact: Jim McCulloch, Phone: (407) 422-3522.

(b) *Approved Course*:

Abatement Worker (contingent from 5/4/89).

(20)(a) *Training Provider*: CRU Incorporated.

Address: 13029 Middletown Industrial Blvd., Louisville, KY 40223, Contact: Donna Ringo, Phone: (502) 244-8844.

(b) *Approved Courses*:

Abatement Worker (contingent from 5/1/89).

Contractor/Supervisor (contingent from 5/1/89).

Inspector/Management Planner (contingent from 5/26/89).

(21)(a) *Training Provider*: DPC General Contractors, Inc.

Address: 250 Arizona Ave., NE, Bldg. A, Atlanta, GA 30307, Contact: Glen Kahler, Phone: (404) 373-0561.

(b) *Approved Courses*:

Abatement Worker (contingent from 4/5/88).

Abatement Worker (full from 5/9/88).

(22)(a) *Training Provider*: EEC, Inc.

Address: 2245 North Hills Dr., Suite J, Raleigh, NC 27612, Contact: Mike Shrimanker, Phone: (919) 782-8910.

(b) *Approved Courses*:

Abatement Worker (contingent from 6/7/89).

Abatement Worker (full from 11/16/89).

Abatement Worker Refresher Course (contingent from 5/3/89).

Contractor/Supervisor Refresher Course (contingent from 9/28/89).

(23)(a) *Training Provider*: ELB & Associates, Inc.

Address: 605 Eastowne Dr., Chapel Hill, NC 27514, Contact: Michael L. Cannon, Phone: (919) 493-4471.

(b) *Approved Course*:

Abatement Worker (contingent from 6/30/88).

(24)(a) *Training Provider*: Eagle Environmental Laboratory.

Address: 1119 Ellard Rd., Fultondale, AL 35068, Contact: Mark Cambron, Phone: (205) 841-7693.

(b) *Approved Course*:

Abatement Worker (contingent from 11/14/89).

(25)(a) *Training Provider*: Energy Support Services, Inc.

Address: P.O. Box 6098, Ashville, NC 28816, Contact: Edward T. Rochelle, Phone: (704) 258-8888.

(b) *Approved Courses*:

Abatement Worker (contingent from 11/7/89).

Contractor/Supervisor (contingent from 11/7/89).

Inspector/Management Planner (contingent from 3/5/89).

(26)(a) *Training Provider*: Enpuricon Asbestos Management.

Address: 6308—D Angus Dr., Raleigh, NC 27613, Contact: Terry E. Slate, Phone: (919) 781-0886.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/11/89).

Contractor/Supervisor (contingent from 2/6/89).

(27)(a) *Training Provider*: Enviro Science, Inc.

Address: 3509 Hayworth Dr., Raleigh, NC 27609, Contact: Reginald C. Jordan, Phone: (919) 782-6527.

(b) *Approved Course*:

Inspector/Management Planner (contingent from 9/15/88).

(28)(a) *Training Provider:* Enviro-Tech.

Address: 550 Comet St., No. 16, P.O. Box 6752, Jacksonville, FL 32236, Contact: Rafael Abrev, Phone: (904) 384-0732.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/28/89).

Contractor/Supervisor (contingent from 7/11/89).

(29)(a) *Training Provider:*

Environmental Aspects, Inc.

Address: 1527 North Dale Mabry Hwy., Suite 105, Lutz, FL 33549-3010, Contact: Dennis L. Mast, Phone: (813) 948-1387.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/22/89).

Abatement Worker (full from 7/7/89).

Abatement Worker Refresher Course (contingent from 7/18/89).

Contractor/Supervisor (contingent from 4/14/89).

Contractor/Supervisor Refresher Course (contingent from 10/20/89).

Inspector/Management Planner (contingent from 6/30/89).

Inspector/Management Planner Refresher Course (contingent from 10/20/89).

(30)(a) *Training Provider:*

Environmental Control Systems Training Institute.

Address: 2720 Frankfort Ave., Louisville, KY 40206, Contact: William A. Sadler, Phone: (502) 896-1245.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 8/10/89).

Inspector/Management Planner (contingent from 11/6/89).

(31)(a) *Training Provider:*

Environmental Engineering Co., Inc.

Address: 500 Rivermont Rd., Columbia, SC 29210, Contact: Russell Richard, Phone: (803) 256-7846.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/17/89).

Abatement Worker (full from 9/22/89).

Abatement Worker Refresher Course (contingent from 9/28/89).

Contractor/Supervisor (contingent from 2/17/89).

Contractor/Supervisor (full from 9/22/89).

Contractor/Supervisor Refresher Course (contingent from 9/28/89).

(32)(a) *Training Provider:*

Environmental Resources Group.

Address: 3845 Viscount, Memphis, TN 38118, Contact: Lee C. Thompson, Phone: (901) 795-0432.

(b) *Approved Course:*

Abatement Worker (contingent from 11/14/88).

(33)(a) *Training Provider:*

Environmental Resources, Inc.

Address: P.O. Box 1462, Anderson, SC 29622, Contact: John G. Sean, Phone: (803) 226-5834.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/13/89).

Contractor/Supervisor (contingent from 10/13/89).

Inspector/Management Planner

(contingent from 10/13/89).

Project Designer (contingent from 10/13/89).

(34)(a) *Training Provider:*

Environmental Training Corporation.

Address: 2252 Rocky Ridge Rd., Suite 105, Birmingham, AL 35216, Contact: William E. Hicks, Phone: (800) 999-1655.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/31/89).

Contractor/Supervisor (contingent from 10/31/89).

Project Designer (contingent from 10/31/89).

(35)(a) *Training Provider:* Evans

Environmental & Geological Science & Management, Inc.

Address: 2631 Southwest 27 St., Miami, FL 33133, Contact: Charles Evans, Phone: (305) 856-7458.

(b) *Approved Course:*

Abatement Worker (contingent from 1/31/89).

(36)(a) *Training Provider:* Fayetteville Technical Community College.

Address: P.O. Box 35236, Fayetteville, NC 28303, Contact: John McNeill, Phone: (919) 323-1961.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/1/89).

Contractor/Supervisor (contingent from 5/1/89).

(37)(a) *Training Provider:* Georgia

Tech. Institute.

Address: O'Keefe Building, Room 029, Atlanta, GA 30332, Contact: Robert D. Schmitter, Phone: (404) 894-3806.

(b) *Approved Courses:*

Contractor/Supervisor (interim from 6/1/85 to 5/10/87).

Contractor/Supervisor (full from 5/11/87).

Contractor/Supervisor Refresher Course (contingent from 9/23/87).

Contractor/Supervisor Refresher Course (full from 7/7/88).

Inspector/Management Planner (full from 10/19/87).

Inspector/Management Planner

Refresher Course (contingent from 10/24/88).

Inspector/Management Planner

Refresher Course (full from 11/29/88)

Project Designer (contingent from 6/1/88).

Project Designer (full from 6/7/88).

Project Designer Refresher Course (contingent from 1/31/89).

Project Designer Refresher Course (full from 3/22/89).

(38)(a) *Training Provider:* Great Barrier Insulation Co.

Address: Meador Warehouse, Western Dr., Mobile, AL 36607, Contact: Thomas Knotts, Phone: (205) 476-0350.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/13/88).

Abatement Worker (full from 4/4/89).

Abatement Worker Refresher Course (contingent from 3/30/89).

(39)(a) *Training Provider:* Harmon Engineering Associates.

Address: 1550 Pumphrey Ave., Auburn, AL 36830, Contact: Roger W. Thompson, Phone: (205) 821-9250.

(b) *Approved Course:*

Abatement Worker (contingent from 1/4/89).

(40)(a) *Training Provider:* Harrison Contracting, Inc.

Address: 3845 Viscount St., Suite 12, Memphis, TN 38118, Contact: Lee C. Thompson, Phone: (901) 795-0432.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 10/12/88).

(41)(a) *Training Provider:* Howard I. Henson Training Institute.

Address: 3592 Flat Shoals Rd., Decatur, GA 30034, Contact: Stephen Henson, Phone: (404) 243-5107.

(b) *Approved Course:*

Abatement Worker (full from 2/16/83).

(42)(a) *Training Provider:*

International Association Heat & Frost Insulators & Asbestos Worker Local Union No. 13.

Address: 145 East First St., Jacksonville, FL 32208, Contact: Tom Mallard, Phone: (904) 355-4881.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/23/89).

Abatement Worker Refresher Course (contingent from 1/23/89).

Contractor/Supervisor (contingent from 1/23/89).

Contractor/Supervisor (full from 4/24/89).

Contractor/Supervisor Refresher Course
(contingent from 1/23/89).

(43)(a) *Training Provider:*
International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 46.

Address: 7111 Wright Rd., Knoxville, TN
37931, Contact: John Wade, Phone:
(615) 938-1274.

(b) *Approved Courses:*

Abatement Worker (full from 10/11/88).
Abatement Worker Refresher Course
(contingent from 8/16/89).

Contractor/Supervisor (full from 1/9/
89).

Contractor/Supervisor Refresher Course
(contingent from 10/11/88).

Contractor/Supervisor Refresher Course
(full from 1/9/89).

(44)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 48.

Address: 374 Maynard Terrace, SE,
Suite 232, Atlanta, GA 30316, Contact:
Timothy Fuller, Phone: (404) 373-9886.

(b) *Approved Courses:*

Abatement Worker (full from 5/4/88).
Contractor/Supervisor (full from 6/27/
88).

Contractor/Supervisor Refresher Course
(full from 11/2/88).

Inspector (contingent from 9/28/88).
Inspector (full from 9/28/88).

(45)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 60.

Address: 13000 Northwest 47th Ave.,
Miami, FL 33054, Contact: David
Cleveland, Phone: (305) 681-0679.

(b) *Approved Courses:*

Abatement Worker (full from 11/15/88).
Contractor/Supervisor (full from 12/12/
88).

(46)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 67.

Address: 7930 U.S. Hwy. 301 N, Tampa,
FL 33637, Contact: Don Tucker, Phone:
(813) 985-3067.

(b) *Approved Courses:*

Abatement Worker (full from 8/23/89).
Abatement Worker Refresher Course
(contingent from 11/15/89).

Contractor/Supervisor (full from 11/29/
88).

Contractor/Supervisor Refresher Course
(contingent from 11/15/89).

(47)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 72.

Address: 2513 Adams St., Wilmington,
NC 28401, Contact: Mike Harrell,
Phone: (919) 343-1730.

(b) *Approved Course:*

Abatement Worker (full from 8/10/88).

(48)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 78.

Address: 600 Main St., Gardendale, AL
35071, Contact: Bill Boothe, Phone:
(205) 631-4640.

(b) *Approved Courses:*

Abatement Worker (full from 10/25/88).
Contractor/Supervisor (contingent from
12/6/89).

Contractor/Supervisor Refresher Course
(full from 5/17/89).

(49)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 86.

Address: 4822 Charlotte Ave., Nashville,
TN 37209, Contact: Don Cundiff,
Phone: (615) 297-7127.

(b) *Approved Courses:*

Abatement Worker (full from 7/10/89).
Contractor/Supervisor (full from 7/10/
89).

(50)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 96.

Address: P.O. Box 508, Pooler, GA 31322,
Contact: Mr. Hutcherson, Phone: (912)
748-6282.

(b) *Approved Courses:*

Abatement Worker (full from 7/26/88).
Abatement Worker Refresher Course
(full from 8/17/89).

Contractor/Supervisor (full from 9/13/
88).

Contractor/Supervisor Refresher Course
(full from 8/17/89).

(51)(a) *Training Provider:* Kentucky
Laborers Training Trust Fund.

Address: US 127 Bypass South, P.O. Box
208, Lawrenceburg, KY 40342, Contact:
David Vinson, Phone: (502) 839-3155.

(b) *Approved Course:*

Abatement Worker (contingent from 1/
10/89).

(52)(a) *Training Provider:* LCI Training
Institute.

Address: 1432 Jocasta Dr., Lexington, KY
40502-5320, Contact: John F.
Summersett, Phone: (606) 273-8881.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
9/88).

Contractor/Supervisor (contingent from
6/9/88).

(53)(a) *Training Provider:* Laborers
District Council of Southeast Florida.

Address: 799 Northwest 62nd St., Miami,
FL 33510, Contact: Albert Houston,
Phone: (305) 754-2659.

(b) *Approved Course:*

Abatement Worker (full from 3/15/88).

(54)(a) *Training Provider:* Laborers
Local Union No. 517 North & Central
Florida Education & Training Fund.

Address: 4625 Old Wintergarden Rd.,
Bldg. A-6, Orlando, FL 32811, Contact:
Patrick O' Donnell, Phone: (407) 298-
3446.

(b) *Approved Course:*

Abatement Worker Refresher Course
(contingent from 9/22/89).

(55)(a) *Training Provider:* Lang
Engineering of Florida, Inc.

Address: 5432 Commerce Park Blvd.,
Tampa, FL 33610, Contact: Robert
Lang, Phone: (813) 622-8311.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
17/89).

Abatement Worker Refresher Course
(contingent from 8/9/89).

(56)(a) *Training Provider:* Laseter &
Associates, Inc.

Address: P.O. Box 176, Collierville, TN
38017, Contact: Kenneth M. Laseter,
Phone: (800) 456-8617.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
7/89).

Contractor/Supervisor (contingent from
11/7/89).

Inspector/Management Planner
(contingent from 11/7/89).

(57)(a) *Training Provider:* Law
Engineering, Inc.

Address: 7616 Southland Blvd., Suite
110, Orlando, FL 32809, Contact: Diana
Rigdon, Phone: (407) 855-8740.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
1/89).

Contractor/Supervisor (contingent from
9/1/89).

(58)(a) *Training Provider:* Mississippi
State University Dept. of Continuing
Education.

Address: Memorial Hall-Bar Ave., P.O.
Drawer 5247, Mississippi State, MS
39762-5247, Contact: Margaret V.
Naugle, Phone: (601) 325-2677.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
15/88).

Contractor/Supervisor (contingent from
7/19/88).

Contractor/Supervisor (full from 6/29/
89).

Contractor/Supervisor Refresher Course
(contingent from 5/26/89).

Inspector/Management Planner (full from 6/20/88).

Inspector/Management Planner Refresher Course (contingent from 5/26/89).

Project Designer (contingent from 12/15/88).

Project Designer Refresher Course (contingent from 5/26/89).

(59)(a) *Training Provider*: Mobile Asbestos Resource Services, Inc.

Address: 10 Airport Lane, Archer, FL 32618, Contact: Walter Heope, Phone: (904) 495-9214.

(b) *Approved Course*:

Abatement Worker (contingent from 12/6/89).

(60)(a) *Training Provider*: Mur-Shel, Inc. Asbestos Abatement.

Address: 1038 Grace Ave., Panama City, FL 32401, Contact: Lois Shelton, Phone: (904) 763-2010.

(b) *Approved Course*:

Contractor/Supervisor (contingent from 9/1/89).

(61)(a) *Training Provider*: National Asbestos Council (NAC) Training Dept.

Address: 1777 Northeast Expressway, Suite 150, Atlanta, GA 30329, Contact: Zachary S. Cowan, III, Phone: (404) 633-2622.

(b) *Approved Courses*:

Abatement Worker (interim from 7/1/86 to 6/1/87).

Abatement Worker (full from 7/1/87).

Abatement Worker Refresher Course (contingent from 2/8/89).

(62)(a) *Training Provider*: National Monitoring Labs, Inc.

Address: 1400 North 46th St., Suite V-28, Tampa, FL 33613, Contact: Gil Rakshi, Phone: (800) 347-3414.

(b) *Approved Courses*:

Contractor/Supervisor (contingent from 4/14/89).

Contractor/Supervisor Refresher Course (contingent from 5/23/89).

Inspector/Management Planner (contingent from 4/14/89).

Inspector/Management Planner Refresher Course (contingent from 5/23/89).

(63)(a) *Training Provider*: PDR Engineers, Inc.

Address: 2000 Lindell Ave., Nashville, TN 37203, Contact: Ayaja K. Upaphyaya, Phone: (615) 298-2065.

(b) *Approved Course*:

Inspector (contingent from 9/15/88).

(64)(a) *Training Provider*: Practical Environmental Training Institute.

Address: P.O. Box 26308, Charlotte, NC 28221-6308, Contact: Dianne Christenbery, Phone: (704) 598-9588.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/20/88).

Abatement Worker (full from 10/24/88).

Contractor/Supervisor (contingent from 1/17/89).

Contractor/Supervisor (full from 3/20/89).

(65)(a) *Training Provider*: Republic Industries, Inc.

Address: P.O. Box 5565, Station 1, Wilmington, NC 28403, Contact: Gerry Phelps, Phone: (919) 799-2664.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/23/89).

Contractor/Supervisor (contingent from 9/22/89).

Contractor/Supervisor Refresher Course (contingent from 6/5/89).

(66)(a) *Training Provider*: Retra Services, Inc.

Address: 1730 U.S. Alt. 19 South, Suite H, Tarpon Springs, FL 34689, Contact: Phillip Paroff, Phone: (800) 548-5848.

(b) *Approved Courses*:

Abatement Worker (full from 1/24/89).

Abatement Worker Refresher Course (contingent from 12/29/88).

Abatement Worker Refresher Course (full from 1/24/89).

(67)(a) *Training Provider*: Seagull Environmental Management Asbestos Consulting & Training Systems.

Address: 903 Northwest 6th Ave., Ft. Lauderdale, FL 33311, Contact: James F Stump, Phone: (305) 524-7208.

(b) *Approved Courses*:

Abatement Worker Refresher Course (contingent from 9/22/89).

Contractor/Supervisor Refresher Course (contingent from 9/22/89).

Inspector/Management Planner (contingent from 10/30/89).

(68)(a) *Training Provider*: South Carolina Research & Training Center.

Address: 300 Gervais St., Annex III, Columbia, SC 29201, Contact: Jan Temple, Phone: (803) 737-2060.

(b) *Approved Courses*:

Contractor/Supervisor (full from 3/8/88).

Inspector/Management Planner (full from 3/1/88).

(69)(a) *Training Provider*: Southeast Asbestos Free Environments, Inc.

Address: 350 South Second Ave., P.O. Box 51267, Jacksonville Beach, FL 32250, Contact: Jim Ilardi, Phone: (904) 723-3568.

(b) *Approved Courses*:

Abatement Worker (contingent from 12/15/88).

Contractor/Supervisor (contingent from 1/18/89).

(70)(a) *Training Provider*: Technical Abatement Service, Inc.

Address: 897 East Lemon St., Bartow, FL 33830, Contact: John W. Pery, Phone: (813) 533-0885.

(b) *Approved Course*:

Abatement Worker (contingent from 6/21/89).

(71)(a) *Training Provider*: Technical Education Resources, Inc.

Address: 2212 Swann Ave., Suite D, Tampa, FL 33606, Contact: Robert Greene, Phone: (813) 251-1095.

(b) *Approved Courses*:

Abatement Worker (contingent from 11/16/89).

Contractor/Supervisor (contingent from 11/16/89).

Inspector/Management Planner (contingent from 11/16/89).

(72)(a) *Training Provider*: Technical Training Institute.

Address: P.O. Box 3156, Anderson, SC 29622, Contact: Otey Reynolds, Phone: (803) 578-0358.

(b) *Approved Courses*:

Abatement Worker (contingent from 11/13/89).

Abatement Worker Refresher Course (contingent from 10/17/89).

Contractor/Supervisor (contingent from 11/13/89).

Contractor/Supervisor Refresher Course (contingent from 10/17/89).

Inspector/Management Planner (contingent from 11/13/89).

Inspector/Management Planner Refresher Course (contingent from 10/17/89).

Project Designer (contingent from 11/13/89).

Project Designer Refresher Course (contingent from 10/17/89).

(73)(a) *Training Provider*: Tennessee Environmental Services.

Address: 1804 Williamson Ct., Brentwood, TN 37027, Contact: Claire Badan, Phone: (615) 373-8792.

(b) *Approved Courses*:

Abatement Worker (contingent from 5/26/89).

Contractor/Supervisor (contingent from 5/26/89).

(74)(a) *Training Provider*: The Environmental Institute.

Address: COBB Corporate Center/300, 350 Franklin Rd., Marietta, GA 30067, Contact: Eva Clay, Phone: (404) 425-2000.

(b) *Approved Courses*:

Abatement Worker (contingent from 12/10/87).

Abatement Worker (full from 5/2/88).

Contractor/Supervisor (contingent from 12/10/87).
Contractor/Supervisor (full from 2/1/88).

Contractor/Supervisor Refresher Course (full from 5/19/88).

Inspector/Management Planner (contingent from 12/10/87).

Inspector/Management Planner (full from 1/25/88).

Inspector/Management Planner Refresher Course (full from 11/8/88).

Project Designer (contingent from 2/5/88).

Project Designer (full from 2/9/88).

Project Designer Refresher Course (contingent from 4/17/89).

(75)(a) *Training Provider:* University of Alabama, Tuscaloosa College of Continuing Studies, Division of Envir. & Industrial Prog.

Address: P.O. Box 2967, Tuscaloosa, AL 35486-2967, Contact: William Weems, Phone: (205) 348-3033.

(b) *Approved Courses:*

Abatement Worker (full from 4/5/88).

Contractor/Supervisor (full from 12/14/87).

Inspector/Management Planner (full from 5/16/88).

(76)(a) *Training Provider:* University of Alabama-Birmingham Deep South Center.

Address: Birmingham, AL 35294, Contact: Elizabeth Lynch, Phone: (205) 934-7032.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 3/21/88).

Inspector/Management Planner (full from 3/21/88).

Inspector/Management Planner Refresher Course (contingent from 3/3/89).

(77)(a) *Training Provider:* University of Florida TREEO Center.

Address: 3900 Southwest 63rd Blvd., Gainesville, FL 32608, Contact: Peggy Cook-Holland, Phone: (904) 392-9470.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (interim from 2/9/87 to 4/30/87).

Contractor/Supervisor (full from 5/1/87).

Contractor/Supervisor Refresher Course (contingent from 1/17/89).

Inspector/Management Planner (interim from 1/27/87 to 12/14/87).

Inspector/Management Planner (contingent from 2/5/88).

Inspector/Management Planner (full from 2/15/88).

Inspector/Management Planner Refresher Course (contingent from 10/18/89).

(78)(a) *Training Provider:* University of Kentucky, College of Engineering Continuing Education.

Address: 305 Slone Bldg., Lexington, KY 40506-0053, Contact: A.B. Broderson, Phone: (606) 257-4300.

(b) *Approved Courses:*

Abatement Worker Refresher Course (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 5/24/89).

Inspector Refresher Course (contingent from 3/3/89).

Inspector/Management Planner (full from 2/15/88).

(79)(a) *Training Provider:* University of North Carolina Occupational Safety & Health Educational Resource Center.

Address: 109 Conner Dr., Suite 1101, Chapel Hill, NC 27514, Contact: Ted Williams, Phone: (919) 962-2101.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 6/1/88).

Contractor/Supervisor (full from 6/6/88).

Contractor/Supervisor Refresher Course (contingent from 6/7/89).

Inspector/Management Planner (contingent from 11/9/87).

Inspector/Management Planner (full from 11/9/87).

Inspector/Management Planner Refresher Course (contingent from 12/15/88).

Project Designer (contingent from 5/2/89).

Project Designer Refresher Course (contingent from 6/22/89).

(80)(a) *Training Provider:* University of North Florida Division of Continuing Education & Extension Environmental Ed. & Safety Institute.

Address: 4567 St. Johns Bluff Rd., South Jacksonville, FL 32216, Contact: Herbert E. Carter, Phone: (904) 646-2502.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/89).

Contractor/Supervisor (contingent from 9/1/89).

Inspector/Management Planner (contingent from 9/1/89).

(81)(a) *Training Provider:* University of South Carolina School of Public Health c/o Azimuth Inc.

Address: 9229 University Blvd., Charleston, SC 29418, Contact: Betty Schnee, Phone: (803) 553-9456.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/9/89).

Abatement Worker (full from 12/7/89).

Contractor/Supervisor (contingent from 5/5/89).

Contractor/Supervisor (full from 8/21/89).

Contractor/Supervisor Refresher Course (contingent from 5/24/89).

Contractor/Supervisor Refresher Course (full from 9/20/89).

(82)(a) *Training Provider:* University of South Carolina Medical MUSC Dept. of Environmental Health.

Address: 171 Ashley Ave., Charleston, SC 29425, Contact: Jan Temple, Phone: (803) 792-5315.

(b) *Approved Courses:*

Abatement Worker (full from 12/19/88).

Abatement Worker Refresher Course (contingent from 2/2/89).

Contractor/Supervisor Refresher Course (contingent from 2/2/89).

Contractor/Supervisor Refresher Course (full from 5/3/89).

Inspector/Management Planner Refresher Course (contingent from 2/2/89).

Inspector/Management Planner Refresher Course (full from 5/2/89).

(83)(a) *Training Provider:* WESTON, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830-4303, Contact: Ronald Thompson, Phone: (205) 826-6100.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).

Contractor/Supervisor (contingent from 10/13/88).

Contractor/Supervisor (full from 5/15/89).

Contractor/Supervisor Refresher Course (contingent from 1/31/89).

Contractor/Supervisor Refresher Course (full from 9/25/89).

Inspector/Management Planner (contingent from 5/13/88).

Inspector/Management Planner (full from 9/27/89).

Inspector/Management Planner Refresher Course (contingent from 12/15/88).

Project Designer (contingent from 8/23/88).

Project Designer Refresher Course (contingent from 1/31/89).

Project Designer Refresher Course (full from 9/26/89).

(84)(a) *Training Provider:* Westinghouse Environmental Geotechnical Services, Inc.

Address: 3100 Spring Forest Rd., Suite 118, P.O. Box 58069, Raleigh, NC 27658-8069, Contact: James R. Penland, Phone: (919) 872-2660.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/8/89).

Contractor/Supervisor (contingent from 7/18/89).

(85)(a) *Training Provider:* Williams & Associates, Inc. Environmental Training Center.

Address: 460 Tennessee St., Memphis, TN 38103, Contact: Ruth Williams, Phone: (901) 521-9030.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/18/88).

Abatement Worker (full from 4/18/88).
Abatement Worker Refresher Course (contingent from 5/1/89).

Contractor/Supervisor (contingent from 2/18/88).

Contractor/Supervisor (full from 4/18/88).

Contractor/Supervisor Refresher Course (contingent from 5/1/89).

EPA-Approved Training Courses

REGION V—Chicago, IL

Regional Asbestos Coordinator:
Anthony Restaino, EPA, Region V, 230 S. Dearborn St., (5-SPT-7), Chicago, IL 60604. (312) 886-6003, (FTS) 886-6003.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region V training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Abatement Training Institute, Inc.

Address: P.O. Box 26835, Columbus, OH 43226-0835, Contact: Steven Ritchie, Phone: (614) 267-0908.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(2)(a) *Training Provider:* Advanced Mechanical Insulation, Inc.

Address: 205 West Randolph St., Suite 1050, Chicago, IL 60606, Contact: Jeffery M. Bertrand, Phone: (312) 704-9494.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

(3)(a) *Training Provider:* Affiliated Environmental Services, Inc.

Address: 3606 Venice Rd., Sandusky, OH 44870, Contact: Jack Dauch, Phone: (419) 627-1976.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/14/88).

Abatement Worker (full from 10/24/88).

Abatement Worker Refresher Course (contingent from 2/2/89).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor (full from 2/27/89).

Contractor/Supervisor Refresher Course (contingent from 2/2/89).

Inspector/Management Planner (contingent from 5/30/89).

(4)(a) *Training Provider:* Alderink & Associates, Inc.

Address: 3221 Three Mile Rd., NW, Grand Rapids, MI 49504, Contact: Deborah C. Alderink, Phone: (616) 791-0730.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/15/88).

Abatement Worker (full from 9/6/88).

Abatement Worker Refresher Course (contingent from 9/1/88).

Abatement Worker Refresher Course (full from 9/6/88).

Contractor/Supervisor (contingent from 7/15/88).

Contractor/Supervisor (full from 9/19/88).

Contractor/Supervisor Refresher Course (contingent from 12/1/88).

(5)(a) *Training Provider:* American Asbestos Institute, Inc. (Formerly Illinois Asbestos Council).

Address: Box 7416, Springfield, IL 62791, Contact: Douglas I. Gamble, Phone: (217) 523-5588.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/29/89).

Abatement Worker (full from 8/14/89).

Abatement Worker Refresher Course (contingent from 8/31/89).

Contractor/Supervisor (contingent from 3/29/89).

Contractor/Supervisor (full from 8/14/89).

Contractor/Supervisor Refresher Course (contingent from 9/11/89).

Inspector/Management Planner (contingent from 3/29/89).

Inspector/Management Planner Refresher Course (contingent from 9/11/89).

Project Designer Refresher Course (contingent from 9/19/89).

(6)(a) *Training Provider:* American Environmental Institute.

Address: Main Campus, Plaza West, Cleveland, OH 44116, Contact: Gary P. Block, Phone: (216) 333-6225.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/15/88).

Abatement Worker Refresher Course (contingent from 12/8/88).

Contractor/Supervisor (contingent from 9/1/88).

Contractor/Supervisor Refresher Course (contingent from 12/6/88).

Inspector/Management Planner (contingent from 11/14/88).

(7)(a) *Training Provider:* American Industrial Hygiene Association.

Address: 475 Wolf Ledges Pkwy., Akron, OH 44311-1087, Contact: Mary Christ, Phone: (216) 762-7294.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 2/23/89).

(8)(a) *Training Provider:* Applied Environmental Sciences, Inc.

Address: Minneapolis Business & Technology, Center, 511 11th Ave. S, Minneapolis, MN 55415, Contact: Franklin H. Dickson, Phone: (612) 339-5559.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).

Abatement Worker Refresher Course (contingent from 3/16/89).

Contractor/Supervisor (contingent from 2/7/89).

Contractor/Supervisor Refresher Course (contingent from 3/16/89).

Inspector/Management Planner (contingent from 10/17/89).

Inspector/Management Planner Refresher Course (contingent from 10/16/89).

(9)(a) *Training Provider:* Aries Environmental Services, Ltd.

Address: 1550 Hubbard, Batavia, IL 60510, Contact: Dennis Cesarotti, Phone: (312) 879-3006.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).

Abatement Worker Refresher Course (contingent from 1/18/89).

(10)(a) *Training Provider:* Asbestech, Inc.

Address: 326 Front St., Marietta, OH 45750, Contact: Phillip Lee, Phone: (614) 373-0714.

(b) *Approved Course:*

Abatement Worker (contingent from 11/9/89).

(11)(a) *Training Provider:* Asbestos Abatement, Inc.

Address: 2420 N. Grand River, Lansing, MI 48906, Contact: Shawn O'Callaghan, Phone: (517) 323-0053.

(b) *Approved Course:*

Abatement Worker (contingent from 7/6/88).

(12)(a) *Training Provider:* Asbestos Consulting Group, Inc.

Address: P.O. Box 3157, La Crosse, WI 54602-3157, Contact: Larry Lienau, Phone: (608) 782-1670.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 7/12/88).

Inspector/Management Planner (contingent from 10/14/88).

(13)(a) *Training Provider:* Asbestos Management, Inc.

Address: 36700 South Huron, Suite 104, New Boston, MI 48164, Contact: LaDonna Slifco, Phone: (313) 961-6135.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Abatement Worker Refresher Course (contingent from 1/4/89).

Contractor/Supervisor (contingent from 8/18/87).

Inspector/Management Planner (contingent from 1/26/88).

Inspector/Management Planner (full from 2/1/88).

Inspector/Management Planner Refresher Course (contingent from 11/14/88).

(14)(a) *Training Provider:* Asbestos Professional Services, Inc.

Address: 501 North Second St., Breese, IL 62230, Contact: Donald T. Anderson, Phone: (618) 526-2742.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/13/89).

Abatement Worker Refresher Course (contingent from 10/9/89).

Contractor/Supervisor (contingent from 10/13/89).

Contractor/Supervisor Refresher Course (contingent from 10/9/89).

(15)(a) *Training Provider:* Asbestos Removal Inc.

Address: Waterworks Rd., P.O. Box 522, Wabash, IN 46992, Contact: Karen S. Eckman, Phone: (219) 563-2407.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/18/89).

Abatement Worker Refresher Course (contingent from 12/20/89).

(16)(a) *Training Provider:* Asbestos Roofing Technology, Inc.

Address: P.O. Box 211, Lyons, IL 60534, Contact: Jay E. Refieuna, Phone: (312) 352-0400.

(b) *Approved Course:*

Abatement Worker (contingent from 4/13/89).

(17)(a) *Training Provider:* Asbestos Services, Inc.

Address: P.O. Box 141, Baroda, MI 49101, Contact: Dennis W. Calkins, Phone: (616) 422-2174.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Abatement Worker Refresher Course (contingent from 3/17/89).

Contractor/Supervisor (contingent from 8/12/88).

Contractor/Supervisor Refresher Course (contingent from 3/17/89).

(18)(a) *Training Provider:* Asbestos Technology & Training, Inc.

Address: 1186 Summit Ave., St. Paul, MN 55105, Contact: James D. Risimini, Phone: (612) 290-0342.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 2/7/89).

Contractor/Supervisor (contingent from 7/27/88).

Contractor/Supervisor Refresher Course (contingent from 2/7/89).

Inspector/Management Planner (contingent from 7/27/88).

Inspector/Management Planner Refresher Course (contingent from 2/7/89).

(19)(a) *Training Provider:* Asbestos Training & Employment, Inc. (ATEI).

Address: 809 East 11th St., Michigan City, IN 46360, Contact: Tom Dwyer, Phone: (219) 874-7348.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/15/88).

Abatement Worker (full from 5/18/88).

Abatement Worker Refresher Course (contingent from 12/11/88).

Contractor/Supervisor (contingent from 1/19/88).

Contractor/Supervisor (full from 6/20/88).

Contractor/Supervisor Refresher Course (contingent from 12/11/88).

Inspector/Management Planner (contingent from 5/13/88).

Inspector/Management Planner Refresher Course (contingent from 12/11/88).

(20)(a) *Training Provider:* Asbestos Workers Council.

Address: 1216 East McMillan St., Room 107, Cincinnati, OH 45206, Contact: Richard Black, Phone: (513) 221-5969.

(b) *Approved Course:*

Abatement Worker (contingent from 10/31/88).

(21)(a) *Training Provider:* Astesco Laboratory, Inc.

Address: P.O. Box 517, Cloverdale, IN 46120, Contact: Donald R. Allen, Phone: (317) 795-4724.

(b) *Approved Courses:*

Abatement Worker (full from 10/31/88).

Abatement Worker Refresher Course (contingent from 2/7/89).

Contractor/Supervisor (contingent from 2/23/89).

Contractor/Supervisor Refresher Course (contingent from 2/23/89).

(22)(a) *Training Provider:* BDN Industrial Hygiene Consultants.

Address: 8105 Valleywood Lane, Portage, MI 49002, Contact: Keith Nichols, Phone: (616) 329-1237.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/88).

Contractor/Supervisor (contingent from 10/1/87).

Contractor/Supervisor Refresher Course (contingent from 9/15/88).

Inspector/Management Planner (contingent from 1/15/88).

Inspector/Management Planner (full from 2/15/88).

(23)(a) *Training Provider:* Baker Midwest, Maple Grove, Minnesota.

Address: 10650 State Highway 152, Suite 112, Maple Grove, MN 55369, Contact: Joseph Reeves, Phone: (612) 493-2595.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/15/89).

Contractor/Supervisor (contingent from 6/15/89).

(24)(a) *Training Provider:* Ball State University.

Address: College of Sciences & Humanities, Department of Natural Resources, Muncie, IN 47306, Contact: Thad Godish, Phone: (317) 285-5780.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 3/30/89).

(25)(a) *Training Provider:* Bems Engineering, Inc.

Address: 18600 Northville Rd., Suite 200, Northville, MI 48167, Contact: Eugene L. Kunz, Phone: (313) 348-9167.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

Inspector (contingent from 1/18/89).

Inspector/Management Planner Refresher Course (contingent from 1/4/89).

Project Designer (contingent from 3/2/89).

(26)(a) *Training Provider:* Bierlein Demolition Contractors, Inc.

Address: 2903 South Graham Rd., Saginaw, MI 48608-8078, Contact: Harry T. Dryer, Jr., Phone: (517) 781-1810.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/7/89).

Contractor/Supervisor (contingent from 2/7/89).

(27)(a) *Training Provider:* Boelter Associates, Inc.

Address: 8700 W Bryn Mawr Ave., South Tower, Suite 401, Chicago, IL 60631, Contact: Philip Ramos, Phone: (312) 380-1070.

(b) *Approved Course:*

Contractor/Supervisor Refresher Course (contingent from 5/22/89).

(28)(a) *Training Provider:* Bonne Terre Training Services.

Address: P.O. Box 673, Tiffin, OH 44863, Contact: Timothy E. Blott, Phone: (419) 447-5091.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/13/89).

Abatement Worker Refresher Course (contingent from 10/12/89).

(29)(a) *Training Provider:* Bowling Green State University Environmental Health Program.

Address: 102 Health Center, Bowling Green, OH 43403-0280, Contact: Gary S. Silverman, Phone: (419) 372-7774.

(b) *Approved Course:*

Abatement Worker (contingent from 4/21/89).

(30)(a) *Training Provider:* Carnow, Conibear & Associates, Ltd.

Address: 333 West Wacker Dr., Suite 1400, Chicago, IL 60606, Contact: Victoria Musselman, Phone: (312) 782-4486.

(b) *Approved Course:*

Abatement Worker (full from 2/29/88).

(31)(a) *Training Provider:* Centin Corp.

Address: 6601 North Interchange Rd., Evansville, IN 47715, Contact: Dan Sanders, Phone: (812) 474-8220.

(b) *Approved Course:*

Abatement Worker (contingent from 3/30/89).

(32)(a) *Training Provider:* Charles J. Ogg and Associates.

Address: P.O. Box 815, Newburgh, IN 47629-0815, Contact: Charles J. Ogg, Phone: (812) 853-7607.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Contractor/Supervisor (contingent from 5/1/89).

(33)(a) *Training Provider:* Clayton Environmental Consultants, Inc.

Address: 22345 Roethel Dr., Novi, MI 48050, Contact: Michael Coffman, Phone: (313) 344-1770.

(b) *Approved Courses:*

Inspector/Management Planner

(contingent from 1/26/88).

Inspector/Management Planner (full from 2/16/88).

Inspector/Management Planner

Refresher Course (contingent from 1/26/89).

(34)(a) *Training Provider:* Cleveland Environmental Services, Inc.

Address: P.O. Box 14643, Cincinnati, OH 45214, Contact: Eugene B. Rose, Phone: (513) 921-4143.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/18/89).

Contractor/Supervisor (contingent from 4/21/89).

(35)(a) *Training Provider:* Cleveland Wrecking Co.

Address: 1400 Harrison Ave., P.O. Box 145530, Cincinnati, OH 45214, Contact: Eugene B. Rose, Phone: (513) 921-1160.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/3/89).

Abatement Worker Refresher Course (contingent from 8/3/89).

Contractor/Supervisor (contingent from 8/3/89).

Contractor/Supervisor Refresher Course (contingent from 8/3/89).

(36)(a) *Training Provider:* Columbus Paraprofessional Institute Battelle Columbus Division.

Address: 505 King Ave., Columbus, OH 43201-2693, Contact: John Simpkins, Phone: (614) 424-6424.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 4/4/88).

Inspector/Management Planner (full from 4/11/88).

Inspector/Management Planner Refresher Course (contingent from 11/30/88).

(37)(a) *Training Provider:*

Construction & General Laborers Training Trust Fund.

Address: 400 East Ogden Ave., Westmont, IL 60559, Contact: Anthony Solano, Phone: (312) 323-8999.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/16/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course (contingent from 12/1/88).

Abatement Worker Refresher Course (full from 12/12/89).

Contractor/Supervisor (contingent from 9/22/89).

(38)(a) *Training Provider:*

Construction Laborer Local Union No. 496.

Address: 5945 North Ridge Rd., P.O. Box 190, Madison, OH 44057, Contact: Floyd Conrad, Phone: (216) 428-7177.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/25/89).

Abatement Worker Refresher Course (contingent from 12/1/89).

Contractor/Supervisor (contingent from 10/25/89).

Contractor/Supervisor Refresher Course (contingent from 12/1/89).

Inspector (contingent from 10/25/89).

Inspector Refresher Course (contingent from 12/1/89).

(39)(a) *Training Provider:* D/E 3.

Address: 7471-H Tyler Blvd., Mentor, OH 44060, Contact: Harold N. Danto, Phone: (216) 942-4800.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Abatement Worker Refresher Course (contingent from 1/4/89).

(40)(a) *Training Provider:* D/E 3.

Address: 19701 South Miles Pkwy., N-12, Warrensville, OH 44128, Contact: Harold Danto, Phone: (216) 663-1500.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 9/1/89).

Contractor/Supervisor Refresher Course (contingent from 10/10/89).

(41)(a) *Training Provider:* Daniel J. Hartwig Associates, Inc.

Address: P.O. Box 31, Oregon, WI 53575-0031, Contact: Alice J. Seeliger, Phone: (608) 835-5781.

(b) *Approved Courses:*

Abatement Worker (full from 10/18/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

Contractor/Supervisor (contingent from 4/11/89).

Contractor/Supervisor Refresher Course (contingent from 4/25/89).

Inspector/Management Planner (contingent from 2/9/88).

Inspector/Management Planner (full from 4/18/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

(42)(a) *Training Provider:* Darla Environmental, Inc.

Address: 1220 Richards St., Suite H, Joliet, IL 60433-2758, Contact: Salvador Garcia, Phone: (815) 722-5561.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Contractor/Supervisor (contingent from 10/7/88).

(43)(a) *Training Provider:* DeLisle Associates, Ltd.

Address: 6946 East North Ave., Kalamazoo, MI 49001, Contact: Mark A. DeLisle, Phone: (616) 385-1018.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).

Abatement Worker (full from 1/23/89).

Contractor/Supervisor (contingent from 10/5/87).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course (contingent from 9/1/88).

Inspector/Management Planner (contingent from 12/22/87).

Inspector/Management Planner (full from 1/27/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

(44)(a) *Training Provider:* Dore & Associates Contracting, Inc.

Address: 900 Harry S. Truman Pkwy., P.O. Box 146, Bay City, MI 48707, Contact: Joseph Goldring, Phone: (517) 684-8358.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/6/88).

Abatement Worker (full from 7/25/88).

Abatement Worker Refresher Course (contingent from 10/31/88).

Contractor/Supervisor (contingent from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 3/29/89).

(45)(a) *Training Provider:* Ecological Services, Inc.

Address: 107 Clay St., Tiffin, OH 44880-0715, Contact: Harish N. Pandhi, Phone: (419) 447-2514.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/1/88).

Abatement Worker Refresher Course (contingent from 3/7/89).

(46)(a) *Training Provider:* Emscoa-Emergency Medical Service Consultants of America.

Address: 12125 South 90th Ave., Palos Park, IL 60464, Contact: Fred Debow, Phone: (708) 448-7500.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).

Abatement Worker Refresher Course (contingent from 12/20/89).

Contractor/Supervisor (contingent from 11/3/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(47)(a) *Training Provider:*

Environment Technology of Fort Wayne, Inc.

Address: 9208 Hessen Cassel Rd., Fort Wayne, IN 46816, Contact: Randy C. Aumsbaugh, Phone: (219) 447-3141.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/5/89).

Abatement Worker Refresher Course (contingent from 4/7/89).

(48)(a) *Training Provider:*

Environmental & Occupational Consulting & Training, Inc.

Address: 3410 East Cork St., Kalamazoo, MI 49001, Contact: A. Clark Kahn, Phone: (616) 388-8099.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/89).

Abatement Worker Refresher Course (contingent from 3/7/89).

Contractor/Supervisor (contingent from 3/1/89).

Contractor/Supervisor Refresher Course (contingent from 3/7/89).

(49)(a) *Training Provider:*

Environmental Abatement Systems, Inc.

Address: 6416 Ellsworth, Detroit, MI 48238, Contact: Farrell Davis, Phone: (313) 345-3154.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (contingent from 8/12/88).

(50)(a) *Training Provider:*

Environmental Diversified Services, Inc.

Address: 24356 Sherwood, Center Line, MI 48015-1061, Contact: Michael D. Berg, Phone: (313) 757-4800.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/30/89).

Abatement Worker Refresher Course (contingent from 4/14/89).

Contractor/Supervisor (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 4/11/89).

(51)(a) *Training Provider:*

Environmental Management Consultants, Inc.

Address: 5201 Middle Mt. Vernon Rd., Evansville, IN 47712, Contact: Barbara S. Kramer, Phone: (812) 424-7768.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/13/89).

Abatement Worker (full from 12/13/89).

Contractor/Supervisor (contingent from 3/9/89).

Contractor/Supervisor (full from 12/13/89).

(52)(a) *Training Provider:*

Environmental Professionals, Inc.

Address: 1405 Newton St., Tallmadge, OH 44278, Contact: Edward C. Bruner, Phone: (216) 633-4435.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 2/2/88).

Contractor/Supervisor Refresher Course (contingent from 1/26/89).

(53)(a) *Training Provider:*

Environmental Rehab, Inc.

Address: 700 Coronis Cir., Green Bay, WI 54304, Contact: Randy LaCrosse, Phone: (414) 337-0650.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Abatement Worker (full from 3/29/89).

Abatement Worker Refresher Course (contingent from 10/13/89).

(54)(a) *Training Provider:*

Environmental Response Systems, Inc.

Address: 5319 Broadway Ave., Cleveland, OH 44127, Contact: Paul J. Stroud, Jr., Phone: (216) 883-1152.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 12/29/88).

(55)(a) *Training Provider:*

Environmental Safety Training Services, Inc.

Address: 11802 Hanson Rd., Algonquin, IL 60102, Contact: Robert Sayre, Phone: (217) 525-6161.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/1/88).

Abatement Worker Refresher Course (contingent from 1/17/89).

(56)(a) *Training Provider:*

Environmental Technologies Co. (Formerly Lee Environmental Services, Inc.).

Address: 2727 Second Ave., Detroit, MI 48201, Contact: David W. McDowell, Phone: (313) 961-4230.

(b) *Approved Course:*

Abatement Worker (contingent from 3/17/89).

(57)(a) *Training Provider:*

Environmental Training Institute.

Address: 4708 Angold Rd., Toledo, OH 43615, Contact: Dale Bruhl, Jr., Phone: (419) 382-9200.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/10/89).

Abatement Worker Refresher Course (contingent from 10/5/89).

(58)(a) *Training Provider:* Envirplus,

Inc. Address: 600 Hartrey Ave., Suite 203 A, Evanston, IL 60202, Contact: Salvador Garcia, Phone: (312) 475-0022.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 8/31/89).

(59)(a) *Training Provider:* Escor, Inc.
Address: 540 Frontage Rd., Suite 211,
Northfield, IL 60093, Contact: R. Eric
Zimmerman, Phone: (312) 501-2190.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
12/88).
Abatement Worker Refresher Course
(contingent from 9/15/88).
Contractor/Supervisor (contingent from
8/12/88).
Contractor/Supervisor Refresher Course
(contingent from 9/15/88).
Inspector/Management Planner
(contingent from 8/12/88).
Inspector/Management Planner
Refresher Course (contingent from 9/
1/88).

(60)(a) *Training Provider:* Foley
Occupational Health Consulting.
Address: 2400 North Reynolds Rd.,
Toledo, OH 43615, Contact: E.D. Foley,
Jr., Phone: (419) 531-7191.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
2/4/88).
Contractor/Supervisor Refresher Course
(contingent from 1/4/89).

(61)(a) *Training Provider:* G & H
Contracting Associates, Ltd.
Address: 300 Acorn St., P.O. Box 49080,
Plainwell, MI 49080, Contact: Jeffrey
C. Gren, Phone: (616) 685-1606.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
7/88).
Abatement Worker (full from 11/7/88).
Contractor/Supervisor (contingent from
4/21/89).

(62)(a) *Training Provider:* Gandee &
Associates, Inc.
Address: 4488 Mobile Dr., Columbus,
OH 43220, Contact: Kurt Varga, Phone:
(614) 459-8338.

(b) *Approved Courses:*

Abatement Worker (full from 1/17/89).
Abatement Worker Refresher Course
(contingent from 8/17/89).
Contractor/Supervisor (contingent from
6/1/88).
Contractor/Supervisor (full from 8/29/
88).
Contractor/Supervisor Refresher Course
(contingent from 7/26/89).
Inspector/Management Planner
(contingent from 3/3/89).
Inspector/Management Planner
Refresher Course (contingent from 8/
2/89).

(63)(a) *Training Provider:* Hazard
Management Group, Inc.
Address: P.O. Box 627, Ashtabula, OH
44004, Contact: Gabriel Demshar, Jr.,
Phone: (216) 992-1122.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
4/89).
Contractor/Supervisor (contingent from
1/4/89).

(64)(a) *Training Provider:* Hazardous
Materials Institute, Inc.
Address: 1550 Old Henderson Rd., Suite
N-232, Columbus, OH 43222, Contact:
Al Wilson, Phone: (614) 459-1105.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
12/88).
Abatement Worker Refresher Course
(contingent from 9/15/88).
Contractor/Supervisor (contingent from
8/12/88).
Contractor/Supervisor Refresher Course
(contingent from 9/15/88).
Inspector/Management Planner
(contingent from 8/3/88).
Inspector/Management Planner
Refresher Course (contingent from 9/
15/88).
Project Designer (contingent from 10/14/
88).

(65)(a) *Training Provider:* Heat & Frost
Insulators & Asbestos Workers Local
Union No. 17 Apprentice Training
Center.

Address: 3850 South Racine Ave.,
Chicago, IL 60609, Contact: John P.
Shine, Phone: (312) 247-1007.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
2/87).
Abatement Worker (full from 11/8/87).
Abatement Worker Refresher Course
(contingent from 10/14/88).
Contractor/Supervisor (contingent from
3/21/88).
Contractor/Supervisor (full from 3/22/
88).
Contractor/Supervisor Refresher Course
(contingent from 12/1/88).
(66)(a) *Training Provider:* Heat & Frost
Insulators & Asbestos Workers Local
Union No. 34.

Address: 708 South 10th St.,
Minneapolis, MN 55404, Contact: Lee
Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (full from 11/8/88).
Contractor/Supervisor (full from 11/8/
88).

(67)(a) *Training Provider:* Helix
Environmental, Inc.

Address: 416 Triangle, Dayton, OH
45419, Contact: Ralph Froehlich,
Phone: (513) 298-2990.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
1/89).
Contractor/Supervisor (contingent from
11/1/89).
Contractor/Supervisor Refresher Course
(contingent from 12/19/89).

Inspector/Management Planner
(contingent from 11/1/89).

Inspector/Management Planner
Refresher Course (contingent from 12/
20/89).

(68)(a) *Training Provider:* I.P.C. of
Chicago.

Address: 4309 West Henderson,
Chicago, IL 60641, Contact: Robert G.
Cooley, Phone: (312) 718-7395.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
5/87).
Abatement Worker (full from 8/8/88).
Contractor/Supervisor (contingent from
2/7/89).
Contractor/Supervisor Refresher Course
(contingent from 2/7/89).
Inspector/Management Planner
Refresher Course (contingent from 2/
7/89).

(69)(a) *Training Provider:* Illinois
Environmental Institute.

Address: 8425 West 95th St., Hickory
Hills, IL 60457, Contact: William T.
Gieva, Phone: (312) 839-9000.

(b) *Approved Course:*

Abatement Worker (contingent from 3/
3/89).

(70)(a) *Training Provider:* Illinois
Laborers' & Contractors Training
Program.

Address: R.R. 3, Mount Sterling, IL
62353, Contact: Tony Romolo, Phone:
(217) 773-2741.

(b) *Approved Courses:*

Abatement Worker (full from 12/15/85).
Abatement Worker Refresher Course
(contingent from 9/1/88).
Abatement Worker Refresher Course
(full from 12/13/89).
Contractor/Supervisor (contingent from
2/9/88).
Contractor/Supervisor (full from 3/14/
88).
Contractor/Supervisor Refresher Course
(contingent from 2/27/89).

(71)(a) *Training Provider:* Ilse
Engineering, Inc.

Address: 7177 Arrowhead Rd., Duluth,
MN 55811, Contact: John F. Ilse,
Phone: (218) 729-6858.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
15/88).
Contractor/Supervisor Refresher Course
(contingent from 4/11/89).

(72)(a) *Training Provider:* Indiana
Laborers Training Trust Fund.

Address: P.O. Box 758, Bedford, IN
47421, Contact: Richard Passino,
Phone: (812) 279-9751.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/87).

Abatement Worker (full from 2/22/88).

Abatement Worker Refresher Course (contingent from 10/7/88).

Contractor/Supervisor (contingent from 6/2/88).

Contractor/Supervisor (full from 8/15/88).

Contractor/Supervisor Refresher Course (contingent from 6/14/89).

(73)(a) *Training Provider:* Indianapolis Center for Advanced Research, Inc.

Address: 611 North Capitol Ave., Indianapolis, IN 46204, Contact: William Beranek, Jr., Phone: (317) 262-5027.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/13/88).

Abatement Worker (full from 1/10/89).

Abatement Worker Refresher Course (contingent from 12/27/88).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 1/10/89).

Contractor/Supervisor Refresher Course (contingent from 12/27/88).

Inspector/Management Planner (contingent from 5/9/88).

Inspector/Management Planner (full from 6/6/88).

Inspector/Management Planner Refresher Course (contingent from 12/6/88).

(74)(a) *Training Provider:* Industrial Environmental Consultants.

Address: 2875 Northwind, Suite 113, East Lansing, MI 48823, Contact: James C. Fox, Phone: (517) 332-7026.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/9/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 8/3/88).

Contractor/Supervisor (full from 1/23/89).

Contractor/Supervisor Refresher Course (contingent from 12/5/88).

Inspector/Management Planner (contingent from 3/1/88).

(75)(a) *Training Provider:* Institute for Environmental Assessment.

Address: 2829 Verndale Ave., Anoka, MN 55303, Contact: Bill Sloan, Phone: (612) 427-5310.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (contingent from 8/12/88).

Inspector Refresher Course (contingent from 2/23/89).

(76)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 19.

Address: 9401 West Beloit Rd., No. 209, Milwaukee, WI 53227, Contact: Randall Gottsacker, Phone: (414) 321-2828.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Abatement Worker (full from 5/15/89).

Abatement Worker Refresher Course (contingent from 1/26/89).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 1/26/89).

(77)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 34.

Address: 708 South 10th St., Minneapolis, MN 55404, Contact: Lee A. Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/8/88).

Contractor/Supervisor (contingent from 9/1/88).

(78)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers, Local Union No. 127.

Address: 2787 Pamela Dr., Green Bay, WI 54302, Contact: Michael A. Simons, Phone: (414) 468-5973.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/18/89).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 1/18/89).

(79)(a) *Training Provider:* JWP Enterprises, Ltd.

Address: 122 Water St., Baraboo, WI 53913, Contact: Stephen P. Jandrowski, Phone: (608) 356-2101.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/8/89).

Abatement Worker Refresher Course (contingent from 6/8/89).

Contractor/Supervisor (contingent from 6/8/89).

Contractor/Supervisor (full from 12/7/89).

Contractor/Supervisor Refresher Course (contingent from 6/8/89).

(80)(a) *Training Provider:* Kemron Environmental Services, Inc.

Address: 32740 Northwestern Hwy., Farmington Hills, MI 48018, Contact: Sara A. Bassett, Phone: (313) 626-2426.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 5/13/88).

Contractor/Supervisor (full from 2/27/89).

Contractor/Supervisor Refresher Course (contingent from 2/7/89).

Inspector/Management Planner (contingent from 3/25/88).

Inspector/Management Planner Refresher Course (contingent from 1/4/89).

(81)(a) *Training Provider:* Keter Environmental Ltd.

Address: 699 Edgewood Ave., Elmhurst, IL 60126, Contact: Philip Pekron, Phone: (312) 941-0201.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/27/89).

Abatement Worker Refresher Course (contingent from 11/28/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(82)(a) *Training Provider:* Lakeland Contractors, Inc.

Address: 7615-B St. Clair St., Mentor, OH 44060, Contact: Rex Harris, Phone: (216) 942-0006.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/4/89).

Abatement Worker Refresher Course (contingent from 4/11/89).

(83)(a) *Training Provider:* Lepi Enterprises, Inc.

Address: 917 Main St., Dresden, OH 43821, Contact: James R. Lepi, Phone: (614) 754-1162.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/6/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(84)(a) *Training Provider:* Lyle Training Institute.

Address: 41 South Grant, Columbus, OH 43215, Contact: Andrea D. Hamblin, Phone: (614) 224-8822.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/21/88).

Contractor/Supervisor (contingent from 3/7/89).

Inspector/Management Planner (contingent from 6/30/88).

Inspector/Management Planner Refresher Course (contingent from 3/16/89).

(85)(a) *Training Provider:* M.K. Moore & Sons, Inc.

Address: 5150 Wagoner-Ford Rd.,
Dayton, OH 45414, Contact: Catherine
C. Buchanan, Phone: (513) 236-1812.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
31/89).

Abatement Worker Refresher Course
(contingent from 4/7/89).

Contractor/Supervisor (contingent from
3/31/89).

Contractor/Supervisor Refresher Course
(contingent from 4/7/89).

(86)(a) *Training Provider:* MacNeil
Environmental, Inc.

Address: 799 Roosevelt Rd., Building 6,
Glen Ellyn, IL 60137, Contact: James E.
Viskocil, Phone: (312) 858-2092.

(b) *Approved Courses:*

Contractor/Supervisor Refresher Course
(contingent from 7/6/89).

Inspector/Management Planner
Refresher Course (contingent from 7/
6/89).

(87)(a) *Training Provider:* Manage
Right Asbestos Consultants.

Address: 314 West Genesee Ave.,
Saginaw, MI 48602, Contact: Mary
Margaret Brown, Phone: (517) 753-
9290.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
24/89).

Abatement Worker Refresher Course
(contingent from 4/27/89).

Contractor/Supervisor (contingent from
4/7/89).

(88)(a) *Training Provider:* Mark A.
Kriesemint, Ltd.

Address: P.O. Box 06198, Chicago, IL
60606-0198, Contact: Mark Kriesemint,
Phone: (312) 463-0206.

(b) *Approved Course:*

Abatement Worker (contingent from 10/
31/88).

(89)(a) *Training Provider:* McDowell
Business Training Center.

Address: 1326 S. Michigan Ave., Suite
103, Chicago, IL 60605, Contact:
Edward McDowell, Phone: (312) 427-
2598.

(b) *Approved Course:*

Abatement Worker (contingent from 10/
6/89).

(90)(a) *Training Provider:*
Metropolitan Detroit AFL-CIO Training
Center.

Address: 14333 Prairie, Detroit, MI
48238, Contact: Richard M. King,
Phone: (313) 863-1000.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
12/88).

Contractor/Supervisor (contingent from
8/12/88).

(91)(a) *Training Provider:* Michigan
Laborers Training Institute.

Address: 11155 South Beardslee Rd.,
Perry, MI 48872, Contact: Edwin H.
McDonald, Phone: (517) 625-4919.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
9/88).

Abatement Worker (full from 5/2/88).

Abatement Worker Refresher Course
(contingent from 11/14/88).

Contractor/Supervisor (contingent from
4/6/88).

Contractor/Supervisor (full from 5/6/
88).

Contractor/Supervisor Refresher Course
(contingent from 11/14/88).

(92)(a) *Training Provider:* Mid-Central
Illinois District Council of Carpenters.

Address: 910 Brenkman Dr., Pekin, IL
61554, Contact: Mr. Burnett, Phone:
(309) 353-4232.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 9/1/89).

Contractor/Supervisor Refresher Course
(contingent from 9/1/89).

(93)(a) *Training Provider:* Midwest
Center for Occupational Health &
Safety.

Address: 640 Jackson St., St. Paul, MN
55101, Contact: Ruth K. McIntyre,
Phone: (612) 221-3992.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
16/88).

Contractor/Supervisor (full from 11/28/
88).

Contractor/Supervisor Refresher Course
(contingent from 12/1/88).

Inspector/Management Planner
(contingent from 5/9/88).

Inspector/Management Planner (full
from 5/23/88).

Inspector/Management Planner
Refresher Course (contingent from 12/
1/88).

(94)(a) *Training Provider:* Midwest
Health Training.

Address: 3920 Central, Western Springs,
IL 60058, Contact: H.C. Brown, Phone:
(312) 246-9527.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
25/88).

Abatement Worker (full from 4/25/88).

Abatement Worker Refresher Course
(contingent from 9/15/88).

Contractor/Supervisor (contingent from
2/23/89).

(95)(a) *Training Provider:* Milwaukee
Asbestos Information Center.

Address: 2224 South Kinnickinnic Ave.,
Milwaukee, WI 53207, Contact:
Thomas R. Ortell, Phone: (414) 744-
8100.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
1/88).

Abatement Worker Refresher Course
(contingent from 2/23/89).

Contractor/Supervisor (contingent from
12/1/88).

Contractor/Supervisor Refresher Course
(contingent from 2/23/89).

Inspector/Management Planner
(contingent from 3/2/89).

Inspector/Management Planner
Refresher Course (contingent from 2/
23/89).

Project Designer (contingent from 9/22/
89).

Project Designer Refresher Course
(contingent from 10/16/89).

(96)(a) *Training Provider:* Moraine
Valley Community College.

Address: 10900 South 88th Ave., Palos
Hills, IL 60465, Contact: Richard
Kukac, Phone: (312) 974-5733.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
7/89).

Abatement Worker Refresher Course
(contingent from 3/16/89).

Contractor/Supervisor (contingent from
8/12/88).

Contractor/Supervisor Refresher Course
(contingent from 12/6/88).

Inspector/Management Planner (full
from 2/9/88).

Inspector/Management Planner
Refresher Course (contingent from 12/
6/88).

(97)(a) *Training Provider:* National
Asbestos Abatement Corp.

Address: 1198 Robert T. Longway Blvd.,
Flint, MI 48503, Contact: James S.
Sheaffer, Phone: (313) 232-7100.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
7/89).

Abatement Worker (full from 4/18/89).

(98)(a) *Training Provider:* National
Institute for Abatement Education.

Address: 5501 Williamsburg Way No.
305, Madison, WI 53719, Contact:
Dean Leischow, Phone: (608) 271-7281.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
15/88).

Contractor/Supervisor (contingent from
7/15/88).

(99)(a) *Training Provider:* Northern
Safety Consultants, Inc.

Address: 1406 Lincoln Ave., Marquette,
MI 49855, Contact: Christopher M.
Baker, Phone: (906) 228-5161.

(b) *Approved Courses:*

Abatement Worker (full from 5/31/88).

- Contractor/Supervisor (full from 5/31/88).
- Contractor/Supervisor Refresher Course (contingent from 10/7/88).
- (100)(a) *Training Provider*: Northland Environmental Services, Inc.
Address: P.O. Box 909, Stevens Point, WI 54481, Contact: Bob Voborsky, Phone: (715) 341-9699.
- (b) *Approved Courses*:
Abatement Worker (contingent from 1/18/89).
Abatement Worker Refresher Course (contingent from 1/18/89).
Contractor/Supervisor (contingent from 1/18/89).
Contractor/Supervisor Refresher Course (contingent from 1/18/89).
- (101)(a) *Training Provider*: Nova Environmental Services.
Address: Suite 420 Hazeltine Gates, 1107 Hazeltine Blvd., Chaska, MN 55318, Contact: Deborah S. Green, Phone: (612) 448-9393.
- (b) *Approved Courses*:
Abatement Worker (contingent from 12/24/87).
Abatement Worker Refresher Course (contingent from 4/13/89).
Contractor/Supervisor (contingent from 9/1/88).
Contractor/Supervisor Refresher Course (contingent from 4/13/89).
- (102)(a) *Training Provider*: Nova Environmental, Inc.
Address: 5340 Plymouth Rd., Suite 210, Ann Arbor, MI 48105, Contact: Kary S. Amin, Phone: (313) 930-0995.
- (b) *Approved Courses*:
Abatement Worker (contingent from 5/13/88).
Abatement Worker (full from 3/27/89).
Contractor/Supervisor (contingent from 10/7/88).
Contractor/Supervisor (full from 3/27/89).
Contractor/Supervisor Refresher Course (contingent from 10/7/88).
Inspector/Management Planner (contingent from 10/7/88).
Inspector/Management Planner Refresher Course (contingent from 11/14/88).
- (103)(a) *Training Provider*: Ohio Asbestos Workers Council.
Address: 1216 East McMillan St., Room 107, Cincinnati, OH 45206, Contact: Larry Briley, Phone: (513) 221-5969.
- (b) *Approved Courses*:
Contractor/Supervisor (contingent from 2/17/88).
Contractor/Supervisor (full from 5/12/88).
- (104)(a) *Training Provider*: Ohio Laborers Training & Upgrading Trust Fund.
Address: 25721 Coshocton Rd., P.O. Box 218, Howard, OH 43028, Contact: John L. Railing, Phone: (614) 599-7915.
- (b) *Approved Courses*:
Abatement Worker (full from 4/11/88).
Abatement Worker Refresher Course (contingent from 9/1/88).
Contractor/Supervisor (contingent from 7/27/88).
Contractor/Supervisor Refresher Course (contingent from 6/6/89).
- (105)(a) *Training Provider*: Olive—Harvey College Skill Center.
Address: 10001 South Woodlawn Ave., Chicago, IL 60628, Contact: Verondo Tucker, Phone: (312) 660-4841.
- (b) *Approved Course*:
Abatement Worker (contingent from 3/6/89).
- (106)(a) *Training Provider*: Peoria Public Schools.
Address: 3202 North Wisconsin Ave., Peoria, IL 61603, Contact: Emil S. Steinseifer, Phone: (309) 672-6512.
- (b) *Approved Course*:
Abatement Worker Refresher Course (contingent from 11/14/88).
- (107)(a) *Training Provider*: Professional Asbestos Control Company Inc.
Address: 5739 West Howard St., Niles, IL 60648, Contact: William Foss, Phone: (312) 647-0077.
- (b) *Approved Courses*:
Abatement Worker (contingent from 11/2/89).
Contractor/Supervisor (contingent from 11/2/89).
- (108)(a) *Training Provider*: Professional Asbestos Labor Services, Inc.
Address: 1501 Martin Luther King Dr., Gary, IN 46407, Contact: George Bradley, Phone: (219) 883-8541.
- (b) *Approved Courses*:
Abatement Worker (contingent from 5/18/88).
Abatement Worker Refresher Course (contingent from 12/5/88).
- (109)(a) *Training Provider*: Professional Service Industries, Inc.
Address: 510 East 22nd St., Lombard, IL 60148, Contact: W.K. Swartzendruber, Phone: (312) 691-1490.
- (b) *Approved Courses*:
Contractor/Supervisor (contingent from 11/13/89).
Contractor/Supervisor Refresher Course (contingent from 10/11/89).
Inspector/Management Planner (contingent from 12/15/88).
Inspector/Management Planner (full from 4/27/89).
Inspector/Management Planner Refresher Course (contingent from 10/11/89).
- (110)(a) *Training Provider*: Randolph & Associates, Inc.
Address: 8901 North Industrial Rd., Peoria, IL 61615, Contact: Kirk E. Sweetland, Phone: (309) 692-4422.
- (b) *Approved Courses*:
Contractor/Supervisor (contingent from 5/30/89).
Contractor/Supervisor Refresher Course (contingent from 6/9/89).
- (111)(a) *Training Provider*: Rend Lake College.
Address: Department AAA, Ina, IL 62846, Contact: Fred Bruno, Phone: (618) 437-5321.
- (b) *Approved Courses*:
Abatement Worker (contingent from 3/29/89).
Abatement Worker (full from 10/10/89).
- (112)(a) *Training Provider*: Risk Services, Inc.
Address: 26384 Ford Rd., Suite 200, Dearborn Heights, MI 48127, Contact: Michael J. Borsuck, Phone: (313) 565-5225.
- (b) *Approved Courses*:
Abatement Worker (contingent from 4/11/89).
Abatement Worker Refresher Course (contingent from 4/11/89).
Contractor/Supervisor (contingent from 4/11/89).
Contractor/Supervisor Refresher Course (contingent from 4/11/89).
- (113)(a) *Training Provider*: S.Z. Mansdorf & Associates, Inc.
Address: 2000 Chestnut Blvd., Cuyahoga Falls, OH 44223-1323, Contact: S.Z. Mansdorf, Phone: (216) 928-5434.
- (b) *Approved Courses*:
Contractor/Supervisor (contingent from 1/15/88).
Contractor/Supervisor (full from 2/12/88).
Contractor/Supervisor Refresher Course (contingent from 1/19/89).
Inspector/Management Planner (contingent from 6/24/88).
Inspector/Management Planner Refresher Course (contingent from 1/26/89).
- (114)(a) *Training Provider*: Safer Foundation.
Address: 571 West Jackson Blvd., Chicago, IL 60606, Contact: C. Bentley or P. Bergmann, Phone: (312) 922-2200.
- (b) *Approved Courses*:
Abatement Worker (contingent from 9/15/88).
Abatement Worker (full from 7/7/89).
Abatement Worker Refresher Course (contingent from 11/3/89).
- (115)(a) *Training Provider*: Safety Dynamics.

Address: 124 Massachusetts Ave., Poland, OH 44514, Contact: Ronald G. Zikmund, Phone: (216) 757-3899.

(b) *Approved Course:*

Abatement Worker (contingent from 8/18/89).

(116)(a) *Training Provider:* Safety Training of Illinois.

Address: 1515 South Park, Springfield, IL 62704, Contact: S. David Farris, Phone: (217) 787-9091.

(b) *Approved Courses:*

Abatement Worker (full from 12/18/87).

Abatement Worker Refresher Course (contingent from 11/14/88).

(117)(a) *Training Provider:* Sear Corp.

Address: 8802 Bash St., Suite F, Indianapolis, IN 46256, Contact: Todd M. Strader, Phone: (317) 576-5845.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/3/89).

Abatement Worker (full from 7/7/89).

(118)(a) *Training Provider:* Seneca Asbestos Removal & Control, Inc.

Address: 76 Ashwood Rd., Tiffin, OH 44883, Contact: Roger Bakies, Phone: (419) 447-0202.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/21/89).

Abatement Worker (full from 11/15/89).

(119)(a) *Training Provider:* Sierra Analytical & Consulting Services, Inc.

Address: 307 North First St., Ann Arbor, MI 48103, Contact: David Nelson, Phone: (313) 662-1155.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/17/89).

Contractor/Supervisor (contingent from 1/26/89).

Contractor/Supervisor (full from 3/13/89).

(120)(a) *Training Provider:* South East Michigan Committee on Occupational Safety and Health (SEMCOH).

Address: 1550 Howard St., Detroit, MI 48216, Contact: Barbara Boylan, Phone: (313) 961-3345.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/13/87).

Abatement Worker (full from 4/25/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(121)(a) *Training Provider:* Testing Engineers & Consultants, Inc.

Address: 1333 Rochester Rd., P.O. Box 249, Troy, MI 48099, Contact: Karl D. Agee, Phone: (313) 588-6200.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 5/9/88).

Inspector/Management Planner (full from 8/22/88).

Inspector/Management Planner Refresher Course (contingent from 3/30/89).

(122)(a) *Training Provider:* The American Center for Educational Development & Training Inc.

Address: 410 S. Michigan Ave., Suite 841, Chicago, IL 60605, Contact: Ronald Broom, Phone: (312) 322-2233.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/3/89).

Abatement Worker Refresher Course (contingent from 12/1/89).

(123)(a) *Training Provider:* The American Center for Educational Development, Inc.

Address: 410 S. Michigan Ave., Suite 841, Chicago, IL 60605, Contact: Ron Broom, Phone: (312) 322-2233.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).

Abatement Worker (full from 12/13/89).

Abatement Worker Refresher Course (contingent from 12/1/89).

Contractor/Supervisor (contingent from 11/3/89).

Contractor/Supervisor Refresher Course (contingent from 12/1/89).

(124)(a) *Training Provider:* The Brand Companies.

Address: 1420 Renaissance Dr., Park Ridge, IL 60068, Contact: Frank J. Barta, Phone: (312) 298-1200.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Abatement Worker (full from 5/1/89).

Abatement Worker Refresher Course (contingent from 6/8/89).

Contractor/Supervisor (contingent from 7/7/89).

Contractor/Supervisor Refresher Course (contingent from 8/16/89).

(125)(a) *Training Provider:* The Clear Consortium.

Address: 127 North Dearborn St., Chicago, IL 60602, Contact: Lorenzo Higgins, Phone: (312) 368-0211.

(b) *Approved Course:*

Abatement Worker (contingent from 7/18/89).

(126)(a) *Training Provider:* The Environmental Institute.

Address: 314 South State Ave., Indianapolis, IN 46201, Contact: Cindy Witte, Phone: (317) 269-3618.

(b) *Approved Course:*

Abatement Worker Refresher Course (contingent from 12/22/88).

(127)(a) *Training Provider:* Thermico, Inc.

Address: 3405 Centennial Dr., P.O. Box 2151, Midland, MI 48641-2151, Contact: Kevin Otis, Phone: (517) 496-2927.

(b) *Approved Course:*

Abatement Worker (contingent from 4/7/89).

(128)(a) *Training Provider:* Tillotson Consulting & Training, Inc.

Address: 9332 Oakview, Portage, MI 49002, Contact: Michael R. Tillotson, Phone: (616) 323-2124.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Abatement Worker Refresher Course (contingent from 12/11/88).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 12/11/88).

Inspector/Management Planner (contingent from 12/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/11/88).

(129)(a) *Training Provider:* Trust Thermal Systems.

Address: 10445 Wright Rd., Eagle, MI 48822, Contact: Thomas Lowe, Phone: (517) 626-6791.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).

Abatement Worker Refresher Course (contingent from 4/7/89).

Contractor/Supervisor (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 4/7/89).

(130)(a) *Training Provider:* United Science Industries, Inc.

Address: 621 Ninth Street, P.O. Box 21, Carlyle, IL 62231, Contact: Mr. Koch, Phone: (618) 594-8670.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/4/89).

Abatement Worker Refresher Course (contingent from 12/20/89).

Contractor/Supervisor (contingent from 12/4/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(131)(a) *Training Provider:* University of Cincinnati Medical Center Department of Environmental Health Kettering Laboratory.

Address: 3223 Eden Ave., ML 056, Cincinnati, OH 45267-0056, Contact: Judy L. Jarrell, Phone: (513) 558-1730.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/14/88).

Abatement Worker (full from 11/15/88).
Abatement Worker Refresher Course
(contingent from 7/11/89).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course
(contingent from 10/4/89).

Inspector/Management Planner (full
from 11/16/87).

Inspector/Management Planner
Refresher Course (contingent from 12/1/88).

Project Designer (contingent from 10/26/89).

(132)(a) *Training Provider:* University
of Illinois at Chicago M.A.I.C.

Address: 1440 West Washington,
Chicago, IL 60612, Contact: Tony
Billotti, Phone: (312) 996-5762.

(b) *Approved Courses:*

Abatement Worker (interim from 10/1/87 to 12/14/87).

Abatement Worker (contingent from 10/2/87).

Abatement Worker (full from 4/5/88).

Abatement Worker Refresher Course
(contingent from 11/14/88).

Contractor/Supervisor (full from 6/1/88).

Contractor/Supervisor Refresher Course
(contingent from 1/18/89).

Inspector/Management Planner
(contingent from 10/2/87).

Inspector/Management Planner (full
from 10/21/87).

Inspector/Management Planner
Refresher Course (full from 2/17/89).

Project Designer (contingent from 7/7/89).

(133)(a) *Training Provider:* University
of Wisconsin.

Address: 422 Lowell Hall, 610 Langdon
St., Madison, WI 53703, Contact: Neil
DeClercq, Phone: (608) 262-2111.

(b) *Approved Courses:*

Abatement Worker (full from 12/7/87).

Abatement Worker Refresher Course
(contingent from 12/15/88).

Contractor/Supervisor (contingent from
2/2/88).

Contractor/Supervisor (full from 9/1/88).

Contractor/Supervisor Refresher Course
(contingent from 12/15/88).

Inspector/Management Planner
(contingent from 2/2/88).

Inspector/Management Planner (full
from 2/22/88).

Inspector/Management Planner
Refresher Course (contingent from 12/15/88).

Project Designer (contingent from 9/15/88).

Project Designer Refresher Course
(contingent from 3/3/89).

(134)(a) *Training Provider:* William E.
Fink & Associates.

Address: 25 South State St., Girard, OH
44420, Contact: William Fink, Phone:
(216) 545-1222.

(b) *Approved Course:*

Contractor/Supervisor (contingent from
8/18/89).

(135)(a) *Training Provider:* William E.
Fink & Associates, Inc.

Address: 3695 Indian Run, Suite 5,
Canfield, OH 44406, Contact: William
E. Fink, Phone: (216) 533-6299.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 2/13/89).

Abatement Worker Refresher Course
(contingent from 8/11/88).

Contractor/Supervisor (contingent from
8/18/89).

Contractor/Supervisor Refresher Course
(contingent from 10/13/89).

(136)(a) *Training Provider:* Wisconsin
Laborers Training Center.

Address: P.O. Box 150, Almond, WI
54909, Contact: Dean Jensen, Phone:
(715) 366-8221.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/8/87).

Abatement Worker (full from 11/29/88).

Abatement Worker Refresher Course
(contingent from 11/14/88).

Contractor/Supervisor (contingent from
11/21/88).

Contractor/Supervisor (full from 11/29/88).

(137)(a) *Training Provider:* Wonder
Makers, Inc.

Address: 3101 Darmo St., Kalamazoo, MI
49008, Contact: Michael A. Pinto,
Phone: (616) 382-4154.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/16/89).

Abatement Worker Refresher Course
(contingent from 3/9/89).

Contractor/Supervisor (contingent from
3/16/89).

Contractor/Supervisor Refresher Course
(contingent from 3/16/89).

Inspector/Management Planner
(contingent from 4/21/89).

Inspector/Management Planner
Refresher Course (contingent from 4/21/89).

EPA-Approved Training Courses
REGION VI—Dallas, TX

Regional Asbestos Coordinator: John
West, 6T-PT, EPA, Region VI, 1445 Ross
Avenue, Dallas, TX 75202-2733. (214)
655-7244, (FTS) 255-7244.

List of Approved Courses: The
following training courses have been
approved by EPA. The courses are listed
under (b). This approval is subject to the

level of certification indicated after the
course name. Training Providers are
listed in alphabetical order and do not
reflect a prioritization. Approvals for
Region VI training courses and contact
points for each, are as follows:

(1)(a) *Training Provider:* AAR, Inc.

Address: P.O. Box 742648, Houston, TX
77274-2648, Contact: David S. Barnett,
Phone: (713) 777-9205.

(b) *Approved Course:*

Abatement Worker (contingent from 1/26/89).

(2)(a) *Training Provider:* AC & C
Systems Corp.

Address: 5909 Northwest Expressway,
Suite 310, Oklahoma City, OK 73132,
Contact: Turner Stallings, Phone: (405)
728-0444.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/20/88).

Contractor/Supervisor (contingent from
10/26/88).

(3)(a) *Training Provider:* AEGIS
Associates, Inc.

Address: 4868 Research Dr., San
Antonio, TX 78240, Contact: John J.
Gokelman, Phone: (512) 641-8320.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/14/89).

Contractor/Supervisor (contingent from
5/25/89).

Inspector Refresher Course (contingent
from 4/4/89).

(4)(a) *Training Provider:* Abateco, Inc.

Address: 10000 Old Katy Rd., Suite 200,
Houston, TX 77055, Contact: W.D.
Heimbrook, Phone: (713) 461-0692.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/14/89).

Abatement Worker Refresher Course
(contingent from 3/17/89).

Contractor/Supervisor (contingent from
8/14/89).

(5)(a) *Training Provider:* Ahera
Training Institute.

Address: 12116A Jekel Circle, Austin, TX
78727, Contact: Richard J. Thompson,
Phone: (512) 335-3724.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/10/89).

Abatement Worker Refresher Course
(contingent from 12/15/89).

Contractor/Supervisor (contingent from
1/11/88).

Contractor/Supervisor (full from 3/1/88).

Contractor/Supervisor Refresher Course
(contingent from 12/15/89).

Inspector/Management Planner (full from 1/25/88).

Inspector/Management Planner Refresher Course (contingent from 10/2/89).

(6)(a) *Training Provider:* Allied Training Systems.

Address: 4004 Tiffany, College Station, TX 77840, Contact: Dan Sheppard, Phone: (409) 690-0240.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/30/89).

Abatement Worker Refresher Course (contingent from 10/26/89).

Contractor/Supervisor Refresher Course (contingent from 10/31/89).

(7)(a) *Training Provider:* Allison Sheridan Environmental Training Services.

Address: 2411 Fountain View, Suite 120, Houston, TX 77057, Contact: Don Rawlings, Phone: (713) 953-1750.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/8/90).

Contractor/Supervisor (contingent from 1/8/90).

(8)(a) *Training Provider:* American Specialty Contractors, Inc.

Address: 8181 West Darryl Pkwy, Baton Rouge, LA 70896, Contact: Kurt Jones, Phone: (504) 926-9524.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/18/88).

Abatement Worker (full from 5/3/89).

Contractor/Supervisor (contingent from 11/18/88).

Contractor/Supervisor (full from 5/4/89).

(9)(a) *Training Provider:* Analytical Labs Training Center.

Address: 218 Market St., Baird, TX 79504, Contact: Bob Dye, Phone: (915) 854-1264.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/21/89).

Contractor/Supervisor (contingent from 4/21/89).

(10)(a) *Training Provider:* Asbestos Education Services.

Address: 11609 Barchetta Dr., Austin, TX 78758, Contact: Rick Orr, Phone: (512) 832-5298.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/5/89).

Abatement Worker Refresher Course (contingent from 11/28/89).

Contractor/Supervisor (contingent from 10/25/89).

Contractor/Supervisor Refresher Course (contingent from 10/5/89).

Project Designer Refresher Course (contingent from 11/28/89).

(11)(a) *Training Provider:* Asbestos Surveys & Training, Inc.

Address: 5959 Central Crest, Houston, TX 77092, Contact: J.T. Stoneburger, Phone: (713) 681-2639.

(b) *Approved Course:*

Abatement Worker (full from 10/22/87).

(12)(a) *Training Provider:* Ashley Environmental Services.

Address: 5959 Central Crest, Houston, TX 77092, Contact: Jesse Ashley, Phone: (713) 683-6311.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/27/89).

Contractor/Supervisor (contingent from 9/29/89).

(13)(a) *Training Provider:* Beaumont Business Incubator.

Address: 1090 South Fourth St., Beaumont, TX 77701, Contact: Jerry Plaia, Phone: (409) 835-1554.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/29/90).

Abatement Worker Refresher Course (contingent from 1/29/90).

Contractor/Supervisor (contingent from 1/29/90).

Contractor/Supervisor Refresher Course (contingent from 1/29/90).

(14)(a) *Training Provider:* CCA Environmental Inc.

Address: 8499 Greenville Ave., Suite 105, Dallas, TX 75231, Contact: Alcee Chriss, Phone: (214) 348-1954.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/18/89).

Abatement Worker Refresher Course (contingent from 11/29/89).

Contractor/Supervisor (contingent from 11/29/89).

Contractor/Supervisor Refresher Course (contingent from 11/29/89).

(15)(a) *Training Provider:* Carpenters Apprenticeship Training School.

Address: 8505 Glen Vista, Houston, TX 77061, Contact: S.C. Strunk, Jr., Phone: (713) 641-1011.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/8/88).

Abatement Worker Refresher Course (contingent from 7/8/88).

(16)(a) *Training Provider:* Certified Asbestos Training Institute, Inc.

Address: 4202 Argentina Cir., Pasadena, TX 77504, Contact: Clyde O. Waters, Phone: (713) 487-3155.

(b) *Approved Course:*

Abatement Worker (contingent from 4/20/88).

(17)(a) *Training Provider:* El Paso Community College Transmountain Campus.

Address: P.O. Box 20500, El Paso, TX 79998, Contact: Jim Rath, Phone: (915) 757-5053.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/28/89).

Abatement Worker Refresher Course (contingent from 11/28/89).

Contractor/Supervisor (contingent from 11/28/89).

Contractor/Supervisor Refresher Course (contingent from 11/28/89).

(18)(a) *Training Provider:* Enviro-Con Services, Inc.

Address: 10014 Sussex Drive, Houston, TX 77041, Contact: Johnny Bacot, Phone: (713) 524-4121.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/22/89).

Abatement Worker Refresher Course (contingent from 10/2/89).

Contractor/Supervisor (contingent from 9/21/89).

Contractor/Supervisor Refresher Course (contingent from 10/2/89).

(19)(a) *Training Provider:* Environmental Consultant Service.

Address: P.O. Box 586422, Dallas, TX 75258, Contact: Thomas Armstrong, Phone: (214) 638-3589.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/20/89).

Contractor/Supervisor (contingent from 4/20/89).

Contractor/Supervisor Refresher Course (contingent from 9/1/89).

Inspector/Management Planner (contingent from 4/20/89).

(20)(a) *Training Provider:* Environmental Monitoring Service, Inc. (EMS).

Address: 13008 Amarillo Ave., Austin, TX 78729, Contact: Rick Pruett, Phone: (512) 335-9116.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/88).

Abatement Worker Refresher Course (contingent from 1/15/90).

Contractor/Supervisor (contingent from 2/5/90).

Inspector/Management Planner (contingent from 4/19/89).

(21)(a) *Training Provider:* Field Sciences Institute.

Address: 2309 Renard Pl. SE, Suite 104, Albuquerque, NM 87106, Contact: Robert L. Edgar, Phone: (505) 764-9251.

(b) *Approved Courses:*

- Abatement Worker (contingent from 10/13/89).
- Abatement Worker Refresher Course (full from 8/1/89).
- Contractor/Supervisor (contingent from 4/22/88).
- Contractor/Supervisor Refresher Course (full from 8/1/89).
- Inspector Refresher Course (full from 8/1/89).
- Inspector/Management Planner (contingent from 4/22/88).
- (22)(a) *Training Provider:* Fort Worth Independent School District.
- Address: 3210 West Lancaster, Fort Worth, TX 76107, Contact: H.D. Duncan, Phone: (817) 336-8311.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/27/88).
- Abatement Worker Refresher Course (contingent from 7/27/88).
- (23)(a) *Training Provider:* GEBCO Associates, Inc.
- Address: 1501 Norwood, Suite 142, Hurst, TX 76054-3638, Contact: Ed Kirch, Phone: (817) 268-4006.
- (b) *Approved Courses:*
- Abatement Worker (interim from 4/15/87 to 8/19/87).
- Abatement Worker (full from 8/20/87).
- Abatement Worker Refresher Course (contingent from 5/16/88).
- Abatement Worker Refresher Course (full from 7/5/89).
- Contractor/Supervisor (contingent from 3/15/88).
- Contractor/Supervisor (full from 7/24/89).
- Contractor/Supervisor Refresher Course (contingent from 7/27/88).
- Contractor/Supervisor Refresher Course (full from 7/28/89).
- Inspector/Management Planner (full from 3/7/88).
- Inspector/Management Planner Refresher Course (contingent from 7/27/88).
- Inspector/Management Planner Refresher Course (full from 8/16/89).
- (24)(a) *Training Provider:* Gary LaFrance Abatement Workers Training Program.
- Address: 4802 Prestwick, Tyler, TX 75703, Contact: Gary G. LaFrance, Phone: (214) 581-8852.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 12/14/88).
- Abatement Worker (full from 4/12/89).
- (25)(a) *Training Provider:* Houston Independent School District.
- Address: 228 McCarty Dr., Houston, TX 77029, Contact: Bennie Jenkins, Phone: (713) 676-2222 X 393.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 10/10/89).
- Abatement Worker Refresher Course (contingent from 10/12/89).
- Abatement Worker Refresher Course (full from 10/12/89).
- (26)(a) *Training Provider:* IMPACT Inc.
- Address: 5330 Griggs Rd., Houston, TX 77021, Contact: Edgar Harvey, Phone: (713) 845-2416.
- (b) *Approved Course:*
- Abatement Worker (contingent from 8/17/89).
- (27)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 22.
- Address: 3219 Pasadena Blvd., Pasadena, TX 77503, Contact: Robert M. Chadwick, Phone: (713) 473-0888.
- (b) *Approved Courses:*
- Abatement Worker (interim from 10/1/87 to 10/4/87).
- Abatement Worker (contingent from 10/5/87).
- Abatement Worker (full from 3/22/88).
- Abatement Worker Refresher Course (contingent from 10/5/87).
- Contractor/Supervisor (full from 6/27/88).
- (28)(a) *Training Provider:* K & T Safety Service, Inc.
- Address: 9888 Bissonnett, Houston, TX 77036, Contact: Kevin Clothier, Phone: (713) 988-9021.
- (b) *Approved Course:*
- Abatement Worker (contingent from 3/28/89).
- (29)(a) *Training Provider:* Keers Environmental, Inc.
- Address: P.O. Box 6848, Albuquerque, NM 89197, Contact: Robert W. Keers, Phone: (505) 888-9525.
- (b) *Approved Courses:*
- Contractor/Supervisor (contingent from 3/28/89).
- Contractor/Supervisor Refresher Course (contingent from 10/6/89).
- (30)(a) *Training Provider:* Kiser Engineering, Inc.
- Address: 211 North River St., Seguin, TX 78155, Contact: Nathan Kiser, Phone: (512) 372-2570.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 3/27/89).
- Abatement Worker Refresher Course (contingent from 8/24/89).
- Contractor/Supervisor (contingent from 3/29/89).
- Contractor/Supervisor Refresher Course (contingent from 8/24/89).
- (31)(a) *Training Provider:* Lafayette Parish School Board Asbestos Training Program.
- Address: P.O. Drawer 2158, Lafayette, LA 70502, Contact: Salvador E. Longo, Phone: (504) 887-3740.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/21/88).
- Contractor/Supervisor (contingent from 7/21/88).
- (32)(a) *Training Provider:* Lamar University, Hazardous Materials Program.
- Address: P.O. Box 10008, Beaumont, TX 77710, Contact: Marion Foster, Phone: (409) 880-2369.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/19/88).
- Abatement Worker (full from 4/26/89).
- Contractor/Supervisor (contingent from 5/20/88).
- Contractor/Supervisor Refresher Course (contingent from 10/24/88).
- (33)(a) *Training Provider:* Law Engineering.
- Address: 5500 Guhn Rd., Houston, TX 77040, Contact: Richard MacIntyre, Phone: (713) 939-7161.
- (b) *Approved Course:*
- Abatement Worker (contingent from 3/14/89).
- (34)(a) *Training Provider:* Little-Tex Insulation Co., Inc.
- Address: 911 North Frio St., San Antonio, TX 78207, Contact: Dan Juepe, Phone: (512) 222-8094.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 8/1/88).
- Contractor/Supervisor (contingent from 8/1/88).
- (35)(a) *Training Provider:* Louisiana Laborers Union—AGC Training Fund.
- Address: P.O. Box 376, Livonia, LA 70755-0376, Contact: Jamie Peers, Phone: (504) 637-2311.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/15/88).
- Abatement Worker Refresher Course (contingent from 4/4/89).
- (36)(a) *Training Provider:* Louisiana State University Agricultural & Mechanical College.
- Address: 361 Pleasant Hall, Baton Rouge, LA 70803-1520, Contact: Marcia L. Gilman, Phone: (504) 388-6591.
- (b) *Approved Courses:*
- Abatement Worker (full from 1/1/88).
- Abatement Worker Refresher Course (contingent from 11/16/88).
- Abatement Worker Refresher Course (full from 3/8/89).

Contractor/Supervisor (contingent from 10/8/87).

Contractor/Supervisor (full from 4/7/88).

Contractor/Supervisor Refresher Course (contingent from 11/18/88).

Contractor/Supervisor Refresher Course (full from 3/8/89).

Inspector/Management Planner (full from 1/18/89).

Inspector/Management Planner Refresher Course (full from 3/7/89).

(37)(a) *Training Provider*: MARTECH International, Inc.

Address: P.O. Box 460, Broussard, LA 70518-0460, Contact: Gary Lawley, Phone: (318) 364-3880.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/17/89).

Contractor/Supervisor (contingent from 1/17/89).

(38)(a) *Training Provider*: Maxim Engineers Inspectors.

Address: 2342 Fabens, Dallas, TX 75229, Contact: Kyle B. Dotson, Phone: (214) 247-7575.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/6/89).

Abatement Worker (full from 6/9/89).

Inspector (contingent from 12/11/89).

(39)(a) *Training Provider*: McClelland Management Services in Conjunction with the University of Houston.

Address: 6100 Hillcroft, Suite 220, Houston, TX 77081, Contact: David Windburne, Phone: (713) 995-9000.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/5/90).

Abatement Worker Refresher Course (contingent from 1/5/90).

Contractor/Supervisor (contingent from 1/5/90).

Contractor/Supervisor Refresher Course (contingent from 1/5/90).

Inspector/Management Planner (contingent from 1/5/90).

Inspector/Management Planner Refresher Course (contingent from 1/5/90).

Project Designer (contingent from 1/5/90).

Project Designer Refresher Course (contingent from 1/5/90).

(40)(a) *Training Provider*: Meador-Wright & Associates, Inc.

Address: 6211 W. Northwest Hwy., Suite C260, Dallas, TX 75225, Contact: Carl Teel, Phone: (214) 691-3485.

(b) *Approved Course*:

Inspector/Management Planner (full from 10/12/89).

(41)(a) *Training Provider*: Micro Analysis Laboratory, Inc.

Address: 8499 Greenville Ave., Dallas, TX 75231, Contact: Carolyn Jones, Phone: (214) 340-0890.

(b) *Approved Course*:

Abatement Worker (contingent from 9/8/89).

(42)(a) *Training Provider*: Moore-Norman Area Vocational Training School.

Address: 4701 12th Ave. NW, Norman, OK 73069, Contact: Frank Coulter, Phone: (405) 364-7032.

(b) *Approved Courses*:

Abatement Worker (full from 3/3/86).

Abatement Worker Refresher Course (contingent from 5/19/89).

Abatement Worker Refresher Course (full from 12/14/89).

Contractor/Supervisor (full from 12/14/89).

Contractor/Supervisor Refresher Course (contingent from 12/14/89).

Contractor/Supervisor Refresher Course (full from 12/14/89).

Inspector/Management Planner (contingent from 1/25/88).

Inspector/Management Planner (full from 4/4/88).

Inspector/Management Planner Refresher Course (contingent from 5/19/89).

(43)(a) *Training Provider*: NATEC of Texas, Inc.

Address: 6601 Kirby Dr., Suite III, Houston, TX 77005, Contact: Paul Speck, Phone: (713) 524-9444.

(b) *Approved Course*:

Abatement Worker (contingent from 11/22/89).

(44)(a) *Training Provider*: Nelson/Imel, Inc.

Address: 3900 Morrison Cir., Norman, OK 73072, Contact: Deborah Nelson, Phone: (405) 364-3278.

(b) *Approved Courses*:

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 11/16/88).

Contractor/Supervisor Refresher Course (contingent from 4/7/89).

(45)(a) *Training Provider*: O'Connor McMahon, Inc.

Address: 1505 Luna Rd., Suite 114, Carrollton, TX 75006, Contact: James M. Walley, Phone: (214) 245-3300.

(b) *Approved Course*:

Abatement Worker (contingent from 7/27/88).

(46)(a) *Training Provider*: Occupational Safety Training Institute.

Address: 9000 West Bellfort, Suite 450, Houston, TX 77031, Contact: Eva Bonilla, Phone: (713) 270-6882.

(b) *Approved Courses*:

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 12/8/88).

Contractor/Supervisor (contingent from 7/27/88).

Contractor/Supervisor (full from 7/27/88).

Contractor/Supervisor Refresher Course (contingent from 12/8/88).

Inspector/Management Planner (contingent from 9/15/88).

(47)(a) *Training Provider*: PAN AM World Services Inc.

Address: P. O. Box 58938, Houston, TX 77258, Contact: Audrey Hall, Phone: (713) 483-7951.

(b) *Approved Course*:

Abatement Worker (contingent from 8/23/89).

(48)(a) *Training Provider*: Protechnics Environmental Services.

Address: 14760 Memorial Dr., Suite 105, Houston, TX 77079, Contact: Hugh Songster, Phone: (713) 496-9874.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/5/89).

Abatement Worker (full from 6/30/89).

Contractor/Supervisor (contingent from 6/22/89).

Contractor/Supervisor Refresher Course (contingent from 11/28/89).

(49)(a) *Training Provider*: R & H Associates, Inc.

Address: P.O. Box 8948, Albuquerque, NM 87198, Contact: Floyd Rubi, Phone: (505) 275-1045.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/12/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 1/12/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Inspector/Management Planner (contingent from 1/12/89).

Inspector/Management Planner Refresher Course (contingent from 4/20/89).

(50)(a) *Training Provider*: Raba-Kistner Training Institute.

Address: 12821 West Golden Ln., San Antonio, TX 78249, Contact: Don Kirchoff, Phone: (512) 699-9090.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/23/89).

Contractor/Supervisor Refresher Course (contingent from 12/13/89).

Inspector/Management Planner (contingent from 12/13/89).

Inspector/Management Planner
Refresher Course (contingent from 12/
13/89).

(51)(a) *Training Provider:* Region 6
Environmental Training.

Address: P.O. Box 180435, Austin, TX
78718-0435, Contact: Charlotte
Ramzel, Phone: (512) 837-9296.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Abatement Worker Refresher Course
(contingent from 3/2/89).

Contractor/Supervisor (contingent from
7/27/88).

Contractor/Supervisor Refresher Course
(contingent from 3/2/89).

Inspector/Management Planner
(contingent from 10/10/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
10/89).

(52)(a) *Training Provider:* Regional
Environmental Training Center.

Address: 9024 Garland Rd., Dallas, TX
75218, Contact: Lisa Adams, Phone:
(214) 328-2928.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
30/89).

Contractor/Supervisor (contingent from
9/1/89).

Inspector/Management Planner
(contingent from 9/1/89).

(53)(a) *Training Provider:* Safety &
Health Research Institute.

Address: 500 One Gallery Tower, 13355
Noel Rd., P.O. Box 612245, Dallas, TX
75261, Contact: Ted Davis, Phone:
(214) 851-3536.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
12/88).

Contractor/Supervisor (contingent from
9/12/88).

Inspector/Management Planner
(contingent from 9/12/88).

(54)(a) *Training Provider:* Southeast
Arkansas Education Services
Cooperative.

Address: U.A.M.—Willard Hall, P.O.
Box 3507, Monticello, AR 71655,
Contact: Lloyd Crossley, Phone: (501)
367-6848.

(b) *Approved Course:*

Inspector/Management Planner
Refresher Course (contingent from 4/
11/89).

(55)(a) *Training Provider:* Southwest
Environmental Institute.

Address: P.O. Box 295, Abilene, TX
79605, Contact: Tom Dye, Phone: (915)
691-0189.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Abatement Worker Refresher Course
(contingent from 8/17/89).

Contractor/Supervisor (contingent from
10/20/88).

Contractor/Supervisor Refresher Course
(contingent from 8/8/89).

Inspector/Management Planner
(contingent from 8/24/89).

(56)(a) *Training Provider:* Specialized
Environmental Services Inc.

Address: 6614 John Ralston Rd.,
Houston, TX 77049, Contact: James
Homminga, Phone: (713) 458-7274.

(b) *Approved Course:*

Abatement Worker (contingent from 11/
29/89).

(57)(a) *Training Provider:* Specialized
Environmental Training.

Address: P.O. Box 7001, Pasadena, TX
77508-7001, Contact: Sue Ann
Williams, Phone: (713) 487-4415.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
12/90).

Contractor/Supervisor (contingent from
1/12/90).

(58)(a) *Training Provider:* Texas
Engineering Extension Service Building
Codes Inspection Training Division.

Address: Texas A & M University
System, College Station, TX 77843-
8000, Contact: Tom Garner, Phone:
(409) 845-6682.

(b) *Approved Courses:*

Abatement Worker (full from 9/28/87).

Contractor/Supervisor (interim from 5/
26/86 to 9/13/87).

Contractor/Supervisor (full from 9/14/
87).

Contractor/Supervisor Refresher Course
(full from 3/2/89).

Inspector/Management Planner (full
from 10/19/87).

Inspector/Management Planner
Refresher Course (full from 3/1/89).

(59)(a) *Training Provider:* Texas Tech
University.

Address: P.O. Box 4369, Lubbock, TX
79409, Contact: Paul Catter, Phone:
(806) 742-3876.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 11/7/89).

Contractor/Supervisor (contingent from
10/31/89).

Contractor/Supervisor Refresher Course
(contingent from 11/7/89).

(60)(a) *Training Provider:* Tulane
University, School of Public Health &
Tropical Medicine, Dept of
Environmental Health Sciences.

Address: 1430 Tulane Ave., New
Orleans, LA 70112, Contact: Shau-
Wong-Chang, Phone: (504) 588-5374.

(b) *Approved Courses:*

Contractor/Supervisor (interim from 3/
17/87 to 9/14/87).

Contractor/Supervisor (full from 9/15/
87).

Contractor/Supervisor Refresher Course
(contingent from 8/1/89).

Inspector/Management Planner
(contingent from 5/20/88).

Inspector/Management Planner
Refresher Course (contingent from 8/
1/89).

(61)(a) *Training Provider:* U.S.
Analytical, Inc.

Address: P.O. Box 801, Abilene, TX
79604, Contact: Keith Davis, Phone:
(915) 698-3293.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
13/89).

Abatement Worker Refresher Course
(contingent from 1/5/89).

Contractor/Supervisor (contingent from
2/13/89).

(62)(a) *Training Provider:* U.S.
Environmental Services.

Address: 3801 Hulen St., Suite 105, Ft.
Worth, TX 76107, Contact: Steve
Salmon, Phone: (817) 429-9400.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
8/90).

Abatement Worker Refresher Course
(contingent from 1/8/90).

(63)(a) *Training Provider:* University
of Arkansas at Little Rock Biology Dept.

Address: 33rd & University, Little Rock,
AR 72204, Contact: Phyllis Moore,
Phone: (501) 569-3270.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 8/18/89).

Inspector/Management Planner
Refresher Course (contingent from 8/
20/89).

(64)(a) *Training Provider:* University
of Arkansas at Little Rock, Labor
Education Program.

Address: 2801 South University, Little
Rock, AR 72204, Contact: James E.
Nickles, Phone: (501) 569-8483.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 9/14/88).

Inspector/Management Planner
Refresher Course (contingent from 9/
12/88).

(65)(a) *Training Provider:* University
of Houston/McClelland Management
Services, Inc.

Address: Houston, TX 77204-3901,
Contact: Patricia Robinson, Phone:
(713) 749-7358.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 5/5/89).

(66)(a) *Training Provider:* University of New Mexico, The Environmental Training Center Division of Continuing Education.

Address: 1634 University Blvd. NE, Albuquerque, NM 87131, Contact: Ed Rodriguez, Phone: (505) 277-9060.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/4/89).

Abatement Worker Refresher Course (contingent from 10/5/89).

Contractor/Supervisor (contingent from 6/16/85).

Contractor/Supervisor Refresher Course (contingent from 10/5/89).

Inspector/Management Planner (contingent from 9/19/89).

Inspector/Management Planner Refresher Course (contingent from 10/6/89).

(67)(a) *Training Provider:* University of Texas Health Center at TYLER/Critical Environmental Training, Inc.

Address: P.O. Box 2003, Tyler, TX 75710, Contact: Ronald F. Dodson, Phone: (214) 877-2310.

(b) *Approved Courses:*

Abatement Worker (full from 4/14/88).

Abatement Worker Refresher Course (full from 10/27/88).

Contractor/Supervisor (full from 3/7/88).

Contractor/Supervisor Refresher Course (full from 10/27/88).

Inspector/Management Planner (contingent from 3/21/88).

Inspector/Management Planner (full from 4/15/88).

Inspector/Management Planner Refresher Course (full from 10/27/88).

(68)(a) *Training Provider:* University of Texas at Arlington Civil Engineering Dept.

Address: Box 19308, Arlington, TX 76019, Contact: Vic Argento, Phone: (817) 273-3694.

(b) *Approved Courses:*

Contractor/Supervisor (full from 7/14/86).

Contractor/Supervisor Refresher Course (full from 9/26/88).

Inspector/Management Planner (full from 10/19/87).

Inspector/Management Planner Refresher Course (full from 9/26/88).

(69)(a) *Training Provider:* Veltmann Engineering.

Address: Midland Air Park, P.O. Box 50741, Midland, TX 79710, Contact: Clyde Veltmann, Phone: (915) 683-1874.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/27/88).

Contractor/Supervisor (contingent from 7/27/88).

Contractor/Supervisor Refresher Course (contingent from 8/8/89).

(70)(a) *Training Provider:* Young Insulation Group of Amarillo, Inc.

Address: P.O. Box 5098, Amarillo, TX 79117, Contact: Dennis C. Clayton, Phone: (806) 372-4329.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 7/27/88).

EPA-Approved Training Courses

REGION VII—Kansas City, KS

Regional Asbestos Coordinator:

Wolfgang Brandner, EPA, Region VII, 726 Minnesota Ave., Kansas City, KS 66101. (913) 236-2835, (FTS) 757-2835.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region VII training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* AEROSTAT Environmental Engineering Corporation. Address: 2817 Atchinson Ave., Box 3096, Lawrence, KS 66048, Contact: Joseph Stimac, Phone: (913) 749-4747.

(b) *Approved Courses:*

Abatement Worker (full from 5/9/88).

Abatement Worker Refresher Course (contingent from 3/3/89).

Abatement Worker Refresher Course (full from 3/16/89).

Contractor/Supervisor (full from 5/9/88).

Contractor/Supervisor Refresher Course (contingent from 3/17/89).

Contractor/Supervisor Refresher Course (full from 3/17/89).

Inspector/Management Planner

(contingent from 3/14/88).

Inspector/Management Planner (full from 1/23/89).

Inspector/Management Planner Refresher Course (contingent from 1/13/89).

Inspector/Management Planner Refresher Course (full from 2/14/89).

(2)(a) *Training Provider:* Abatement Project Training.

Address: P.O. Box 4372, Kansas City, KS 66104, Contact: Virginia Ireton, Phone: (913) 788-3440.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/15/88).

Abatement Worker (full from 4/27/89).

Abatement Worker Refresher Course (contingent from 3/27/89).

Abatement Worker Refresher Course (full from 4/29/89).

Contractor/Supervisor (contingent from 3/23/89).

Contractor/Supervisor (full from 4/28/89).

Contractor/Supervisor Refresher Course (contingent from 6/21/89).

Contractor/Supervisor Refresher Course (full from 1/8/90).

(3)(a) *Training Provider:* Accredited Project Design Environmental Management.

Address: 1532 S.W. Clontare, Topeka, KS 66611, Contact: Richard Pointer, Phone: (913) 267-1549.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/16/89).

Contractor/Supervisor (contingent from 11/16/89).

Inspector/Management Planner (contingent from 11/13/89).

(4)(a) *Training Provider:* American Asbestos Training Center, Ltd.

Address: 529 West First, Monticello, IA 52310, Contact: Steve Intlekofer, Phone: (319) 465-5555.

(b) *Approved Courses:*

Abatement Worker (full from 6/27/88).

Abatement Worker Refresher Course (contingent from 6/23/89).

Abatement Worker Refresher Course (full from 6/26/89).

Contractor/Supervisor (full from 6/27/88).

Contractor/Supervisor Refresher Course (contingent from 6/23/89).

Contractor/Supervisor Refresher Course (full from 6/26/89).

Inspector/Management Planner (contingent from 10/26/88).

Inspector/Management Planner (full from 11/18/88).

Inspector/Management Planner Refresher Course (contingent from 11/10/89).

Inspector/Management Planner Refresher Course (full from 11/16/89).

(5)(a) *Training Provider:* Asbestos Consulting Testing (ACT).

Address: 14953 West 101st Ter., Lenexa, KS 66215, Contact: Jim Pickel, Phone: (913) 492-1337.

(b) *Approved Courses:*

Abatement Worker (full from 1/25/88).

Abatement Worker Refresher Course (full from 1/6/89).

Contractor/Supervisor (full from 1/25/88).

Contractor/Supervisor Refresher Course (full from 1/6/89).

(6)(a) *Training Provider:* Baird Scientific, Inc.

Address: 221 West Fourth St., P.O. Box 842, Carthage, MO 64836, Contact: Mackie Redd, Phone: (417) 358-5567.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/20/89).

Abatement Worker (full from 10/19/89).

Contractor/Supervisor (contingent from 9/20/89).

Contractor/Supervisor (full from 10/19/89).

(7)(a) *Training Provider:* CHART Services, Ltd.

Address: 4725 Merle Hay Rd., Suite 214, Des Moines, IA 50322, Contact: Mary A. Finn, Phone: (515) 276-3642.

(b) *Approved Courses:*

Abatement Worker (full from 11/17/87).

Abatement Worker Refresher Course (full from 10/17/88).

Contractor/Supervisor (full from 11/17/87).

Contractor/Supervisor Refresher Course (full from 10/17/88).

Inspector/Management Planner (full from 2/22/88).

Inspector/Management Planner Refresher Course (full from 11/28/88).

(8)(a) *Training Provider:* Construction Industry Laborers' Training Institute for Eastern Missouri.

Address: Route 1, Box 79 H. High Hill, MO 63350, Contact: Jerald A. Pelker, Phone: (314) 585-2391.

(b) *Approved Courses:*

Abatement Worker (full from 1/19/88).

Abatement Worker Refresher Course (contingent from 5/18/89).

Abatement Worker Refresher Course (full from 5/31/89).

(9)(a) *Training Provider:* Construction Laborers Building Corp.

Address: Box 34549, Omaha, NE 68134, Contact: Jack Budd, Phone: (402) 572-0826.

(b) *Approved Course:*

Abatement Worker (full from 11/2/87).

(10)(a) *Training Provider:* Educational Innovations.

Address: 23 West 3rd St., Lee's Summit, MO 64063, Contact: JoAnn Onwiler, Phone: (816) 525-6911.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/11/89).

Abatement Worker (full from 5/2/89).

Abatement Worker Refresher Course (contingent from 3/29/89).

Abatement Worker Refresher Course (full from 8/2/89).

Contractor/Supervisor (contingent from 4/11/89).

Contractor/Supervisor (full from 5/2/89).

Contractor/Supervisor Refresher Course (contingent from 3/29/89).

Contractor/Supervisor Refresher Course (full from 8/2/89).

Project Designer Refresher Course (contingent from 6/21/89).

Project Designer Refresher Course (full from 7/31/89).

(11)(a) *Training Provider:* Enviro-Impact Inspections, Inc.

Address: 1515 North Warson, Suite 213, St. Louis, MO 63132, Contact: Denis Boles, Phone: (314) 426-0087.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/8/88).

Contractor/Supervisor (contingent from 3/8/88).

(12)(a) *Training Provider:* Environmental Salvage, Ltd.

Address: 25 South 15th St., Suite 6A, Council Bluffs, IA 51501, Contact: Tracey Coats, Phone: (712) 323-1836.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/12/89).

Abatement Worker (full from 2/16/89).

Abatement Worker Refresher Course (contingent from 6/22/89).

Abatement Worker Refresher Course (full from 8/1/89).

Contractor/Supervisor (contingent from 1/12/89).

Contractor/Supervisor (full from 2/16/89).

Contractor/Supervisor Refresher Course (contingent from 6/22/89).

Contractor/Supervisor Refresher Course (full from 8/1/89).

(13)(a) *Training Provider:* Environmental Technology, Inc.

Address: 4315 Merriam Dr., Overland Park, KS 66203, Contact: Mike Bouska, Phone: (913) 236-5040.

(b) *Approved Courses:*

Abatement Worker (full from 2/29/88).

Abatement Worker Refresher Course (contingent from 4/26/89).

Abatement Worker Refresher Course (full from 7/18/89).

(14)(a) *Training Provider:* Flint Hills Area Vocational-Technical School.

Address: 3301 West 18th Ave., Emporia, KS 66801, Contact: Jim Krueger, Phone: (316) 342-6404.

(b) *Approved Course:*

Abatement Worker (full from 3/7/88).

(15)(a) *Training Provider:* General Services Administration (GSA)—Region 6 Safety & Environmental Management Div.

Address: 1500 East Bannister Rd., Kansas City, MO 64131-3088, Contact: Sharon Kersey, Phone: (816) 926-5318.

(b) *Approved Courses:*

Inspector/Management Planner (full from 5/16/88).

Inspector/Management Planner Refresher Course (contingent from 7/18/89).

Inspector/Management Planner Refresher Course (full from 8/20/89).

(16)(a) *Training Provider:* Greater Kansas City Laborers Training Fund.

Address: 8944 Kaw Dr., Kansas City, KS 66111, Contact: James D. Barnett, Phone: (913) 441-6100.

(b) *Approved Courses:*

Abatement Worker (full from 2/1/88).

Abatement Worker Refresher Course (contingent from 6/19/89).

Abatement Worker Refresher Course (full from 7/19/89).

Contractor/Supervisor (full from 5/2/88).

Contractor/Supervisor Refresher Course (contingent from 6/19/89).

Contractor/Supervisor Refresher Course (full from 7/20/89).

(17)(a) *Training Provider:* Hall-Kimbrell Environmental Services.

Address: 4840 West 15th St., Lawrence, KS 66049, Contact: Alice Hart, Phone: (800) 637-0129.

(b) *Approved Courses:*

Abatement Worker (full from 8/17/87).

Abatement Worker Refresher Course (contingent from 9/19/88).

Abatement Worker Refresher Course (full from 10/19/88).

Contractor/Supervisor (full from 8/17/87).

Contractor/Supervisor Refresher Course (contingent from 9/19/88).

Contractor/Supervisor Refresher Course (full from 10/20/88).

Inspector/Management Planner (full from 8/17/87).

Inspector/Management Planner Refresher Course (full from 9/19/88).

Project Designer (full from 8/17/87).

Project Designer Refresher Course (contingent from 9/19/88).

Project Designer Refresher Course (full from 12/20/88).

(18)(a) *Training Provider:* Hazard Control Training Enterprises, Inc.

Address: P.O. Box 20594, Wichita, KS 67208, Contact: Karen Alexander, Phone: (316) 778-1153.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/19/88 to 12/8/88 only).

Contractor/Supervisor (contingent from 10/19/88 to 12/7/88 only).

(19)(a) *Training Provider:* Hazardous Materials Training & Research Institute.

Address: 306 West River Dr., Davenport, IA 52801-1221, Contact: Kirk Barkdoll, Phone: (319) 322-5015.

(b) Approved Courses:

Abatement Worker (contingent from 3/6/89).

Abatement Worker (full from 4/13/89).
Contractor/Supervisor (contingent from 6/8/89).

Contractor/Supervisor (full from 7/21/89).

(20)(a) *Training Provider:* Insulators & Asbestos Workers Midwest States Health & Training Council.

Address: Rural Route 2, Wahoo, NE 68066, Contact: Ray Richmond, Phone: (402) 443-4810.

(b) Approved Courses:

Abatement Worker (full from 6/28/88).

Abatement Worker Refresher Course (contingent from 4/4/89).

Abatement Worker Refresher Course (full from 4/24/89).

Contractor/Supervisor (full from 6/28/88).

Contractor/Supervisor Refresher Course (contingent from 4/4/89).

Contractor/Supervisor Refresher Course (full from 4/24/89).

(21)(a) Training Provider:

International Association of Heat & Frost Insulators & Asbestos Workers Local No.1.

Address: 3325 Hallenberg Dr., St. Louis, MO 63044, Contact: James M. Hagen, Phone: (314) 291-7399.

(b) Approved Courses:

Abatement Worker (full from 6/6/88).

Abatement Worker Refresher Course (contingent from 6/28/89).

Abatement Worker Refresher Course (full from 6/30/89).

Contractor/Supervisor (full from 9/16/88).

Contractor/Supervisor Refresher Course (contingent from 8/14/89).

(22)(a) *Training Provider:* Iowa Dept. of Education.

Address: Grimes State Office Bldg., Des Moines, IA 50319, Contact: C. Milt Wilson, Phone: (515) 281-4743.

(b) Approved Course:

Inspector/Management Planner (full from 4/4/88).

(23)(a) *Training Provider:* Iowa Laborers District Council Training Fund.

Address: 5806 Meredith Dr., Suite B, Des Moines, IA 50322, Contact: Jack G. Jones, Phone: (515) 270-6965.

(b) Approved Courses:

Abatement Worker (full from 2/22/88).

Abatement Worker Refresher Course (contingent from 11/10/89).

Abatement Worker Refresher Course (full from 11/14/89).

Contractor/Supervisor (contingent from 1/8/89).

Contractor/Supervisor (full from 12/6/89).

(24)(a) *Training Provider:* Kansas Construction Laborers' Training Trust Fund.

Address: 2430 Marlatt Ave., Manhattan, KS 66502, Contact: Fred Tipton, Phone: (913) 267-0140.

(b) Approved Courses:

Abatement Worker (full from 1/5/88).

Abatement Worker Refresher Course (contingent from 6/19/89).

Abatement Worker Refresher Course (full from 7/19/89).

Contractor/Supervisor (full from 5/2/88).

Contractor/Supervisor Refresher Course (contingent from 6/19/89).

Contractor/Supervisor Refresher Course (full from 7/20/89).

(25)(a) *Training Provider:* Kansas State University.

Address: Division of Facilities Management, Dykstra Hall, Manhattan, KS 66506, Contact: Robert D. Williams, Phone: (913) 532-5967.

(b) Approved Courses:

Abatement Worker (contingent from 12/27/89).

Abatement Worker Refresher Course (contingent from 1/3/90).

Abatement Worker Refresher Course (full from 1/3/90).

(26)(a) *Training Provider:* Living Word College.

Address: 2750 McKelvey Rd., St. Louis, MO 63043, Contact: Donald C. Femmer, Phone: (314) 291-2749.

(b) Approved Course:

Inspector/Management Planner (Approval Revoked 5/6/88).

(27)(a) *Training Provider:* MITON, Inc.

Address: P.O. Box 1582, Branson, MO 65616, Contact: Tony Williams, Phone: (417) 335-6743.

(b) Approved Courses:

Abatement Worker (contingent from 4/14/89).

Abatement Worker (full from 5/15/89).

Contractor/Supervisor (contingent from 4/14/89).

Contractor/Supervisor (full from 5/15/89).

Inspector/Management Planner (full from 3/14/88).

Inspector/Management Planner Refresher Course (contingent from 3/30/89).

Inspector/Management Planner Refresher Course (full from 4/3/89).

(28)(a) *Training Provider:* Maple Woods Community College.

Address: 10771 Ambassador Dr., Kansas City, MO 64153, Contact: James C. Lauer, Phone: (816) 891-6500.

(b) Approved Courses:

Abatement Worker (full from 2/1/88).

Abatement Worker Refresher Course (full from 1/13/89).

Contractor/Supervisor (full from 3/28/88).

Contractor/Supervisor Refresher Course (full from 1/13/89).

Inspector/Management Planner (contingent from 4/20/88).

Inspector/Management Planner (full from 5/2/88).

Inspector/Management Planner Refresher Course (contingent from 7/27/89).

Inspector/Management Planner Refresher Course (full from 7/28/89).

(29)(a) *Training Provider:* Mayhew Environmental Training Associates, Inc. (META).

Address: P.O. Box 1961, Lawrence, KS 66044, Contact: Brad Mayhew/Betty Fenstermaker, Phone: (800) 444-6382.

(b) Approved Courses:

Abatement Worker (full from 10/20/87).

Abatement Worker Refresher Course (full from 11/14/88).

Contractor/Supervisor (contingent from 10/5/87).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course (full from 11/14/88).

Inspector/Management Planner (full from 8/8/88).

Inspector/Management Planner Refresher Course (full from 1/30/89).

(30)(a) *Training Provider:* Midwest Environmental Testing & Training, Inc.

Address: 635 Southwest 2nd St., Box 1029, Lee's Summit, MO 64063, Contact: Steve Minshall, Phone: (816) 525-6681.

(b) Approved Courses:

Abatement Worker (full from 5/9/88 to 6/5/89 only).

Abatement Worker Refresher Course (contingent from 4/29/89 to 6/5/89 only).

Contractor/Supervisor (full from 5/9/88 to 6/5/89 only).

Contractor/Supervisor Refresher Course (contingent from 4/28/89 to 6/5/89 only).

(31)(a) *Training Provider:* National Asbestos Training Center, University of Kansas.

Address: 6600 College Blvd., Suite 315, Overland Park, KS 66211, Contact: Karen Wilson, Phone: (913) 491-0181.

(b) Approved Courses:

Abatement Worker (full from 7/27/87).

Abatement Worker Refresher Course (contingent from 10/5/88).

Abatement Worker Refresher Course (full from 9/26/89).

Contractor/Supervisor (interim from 6/1/85 to 7/26/87).

Contractor/Supervisor (full from 7/27/87).

Contractor/Supervisor Refresher Course (contingent from 10/5/88).

Contractor/Supervisor Refresher Course (full from 1/25/89).

Inspector/Management Planner (full from 10/26/87).

Inspector/Management Planner Refresher Course (contingent from 10/5/88).

Inspector/Management Planner Refresher Course (full from 1/25/89).

(32)(a) *Training Provider*: PS&H Inc.

Address: 1810 Craig Rd., Suite 114, St. Louis, MO 63146, Contact: Carol E. Hoag, Phone: (314) 275-7733.

(b) *Approved Courses*:

Abatement Worker (full from 11/2/89).

Abatement Worker Refresher Course (contingent from 9/14/89).

Abatement Worker Refresher Course (full from 11/2/89).

Contractor/Supervisor (full from 11/28/88).

Contractor/Supervisor Refresher Course (contingent from 9/14/89).

Contractor/Supervisor Refresher Course (full from 11/2/89).

Inspector/Management Planner (full from 6/23/88).

Inspector/Management Planner Refresher Course (contingent from 1/19/89).

Inspector/Management Planner Refresher Course (full from 3/2/89).

(33)(a) *Training Provider*:

Performance Abatement Services, Inc. Address: 14801 West 99th St., P.O. Box 19328, Lenexa, KS 66215, Contact: Robert Bornkessel, Phone: (913) 888-2423.

(b) *Approved Courses*:

Contractor/Supervisor (contingent from 7/6/89).

Contractor/Supervisor (full from 7/27/89).

(34)(a) *Training Provider*: Roth Asbestos Consultants, Inc.

Address: 1900 West 47th Pl., Westwood, KS 66205, Contact: Donald J. Welsh, Phone: (913) 831-4795.

(b) *Approved Courses*:

Abatement Worker (contingent from 3/9/89).

Abatement Worker (full from 3/13/89).

Abatement Worker Refresher Course (contingent from 6/15/89).

Contractor/Supervisor (contingent from 5/16/89).

Contractor/Supervisor (full from 7/20/89).

Contractor/Supervisor Refresher Course (contingent from 5/18/89).

Inspector/Management Planner Refresher Course (contingent from 1/19/89).

Inspector/Management Planner Refresher Course (full from 1/23/89).

(35)(a) *Training Provider*: Ryckman's Emergency Action & Consulting Team (REACT).

Address: 2208 Welsch Industrial Ct., St. Louis, MO 63146, Contact: Nicolaus P. Neuman, Phone: (800) 325-1398.

(b) *Approved Courses*:

Abatement Worker (full from 7/26/88).

Abatement Worker Refresher Course (contingent from 4/26/89).

Abatement Worker Refresher Course (full from 8/3/89).

Contractor/Supervisor (full from 7/26/88).

Contractor/Supervisor Refresher Course (contingent from 4/26/89).

Contractor/Supervisor Refresher Course (full from 8/4/89).

EPA-Approved Training Courses

REGION VIII—Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1744, (FTS) 564-1744.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region VIII training courses and contact points for each, are as follows.

(1)(a) *Training Provider*: Acme Asbestos Removal.

Address: 9101 Pearl St., Suite 307, Thornton, CO 80229, Contact: Eugene Aragan, Phone: (303) 450-5026.

(b) *Approved Courses*:

Abatement Worker (contingent from 7/26/89).

Abatement Worker (full from 11/22/89).

Abatement Worker Refresher Course (contingent from 5/31/89).

Contractor/Supervisor (contingent from 7/26/89).

Contractor/Supervisor (full from 11/22/89).

(2)(a) *Training Provider*: Asbestos Training & Supply.

Address: 504 Saddle Dr., Cheyenne, WY 82009, Contact: F. Gerald Blackwell, Phone: (307) 634-6858.

(b) *Approved Course*:

Abatement Worker (contingent from 5/2/89).

(3)(a) *Training Provider*: Chen-Northern, Inc.

Address: 600 South 25th St., Billings, MT 59107, Contact: Kathleen A. Smit, Phone: (406) 248-9161.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/1/87).

Abatement Worker (full from 12/8/87).

Abatement Worker Refresher Course (contingent from 2/16/89).

Contractor/Supervisor (contingent from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 5/31/89).

(4)(a) *Training Provider*: Colorado Carpenters Statewide Joint Apprenticeship Educational & Training Committee.

Address: 4290 Holly St., Denver, CO 80216, Contact: Stephen L. Sanford, Phone: (303) 393-6060.

(b) *Approved Courses*:

Abatement Worker (contingent from 12/1/88).

Abatement Worker (full from 12/19/88).

(5)(a) *Training Provider*: Colorado Laborers' & Contractors' Education & Training Fund.

Address: 10505 Havana, Brighton, CO 80601, Contact: James Zancanaro, Phone: (303) 287-3116.

(b) *Approved Courses*:

Abatement Worker (contingent from 2/16/89).

Abatement Worker (full from 2/16/89).

(6)(a) *Training Provider*: Colorado State University Dept. of Industrial Sciences.

Address: Fort Collins, CO 80523, Contact: Birgit Wolff, Phone: (303) 491-7240.

(b) *Approved Courses*:

Abatement Worker (contingent from 8/23/88).

Abatement Worker Refresher Course (contingent from 12/9/88).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 12/9/88).

Inspector/Management Planner (contingent from 3/14/88).

Inspector/Management Planner (full from 5/23/88).

Inspector/Management Planner Refresher Course (contingent from 12/9/88).

(7)(a) *Training Provider*: Colorado Training Institute.

Address: 1210 East Colfax, Suite 306, Denver, CO 80218, Contact: Peter Amary, Phone: (303) 860-0574.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/31/88).

Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (contingent from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

(8)(a) *Training Provider:* Energy Insulation, Inc. (EII).

Address: P.O. Box 1996, Casper, WY 82602, Contact: David K. Fox, Phone: (307) 473-1247.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/88).

Abatement Worker (full from 6/22/88).

(9)(a) *Training Provider:* Envir-o-Tech.

Address: 300 Moore Ln., Billings, MT 59102, Contact: Leonard Cranford, Phone: (406) 252-7538.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).

Abatement Worker (full from 7/6/88).

(10)(a) *Training Provider:* Front Range Community College.

Address: 3645 West 112 Ave., Westminster, CO 80030, Contact: Dr. Gwen Burton, Phone: (303) 466-8811.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).

Abatement Worker (full from 4/7/89).

Abatement Worker Refresher Course (contingent from 2/28/89).

Contractor/Supervisor (contingent from 2/28/89).

Contractor/Supervisor (full from 4/7/89).

Contractor/Supervisor Refresher Course (contingent from 2/28/89).

Inspector/Management Planner (contingent from 2/28/89).

Inspector/Management Planner Refresher Course (contingent from 2/28/89).

(11)(a) *Training Provider:* HWS Technologies, Inc.

Address: 9101 East Kenyon Ave., Suite 1600, Denver, CO 80237, Contact: William C. Oleskevich, Phone: (303) 771-6863.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/28/89).

Abatement Worker (full from 4/7/89).

Abatement Worker Refresher Course (contingent from 2/28/89).

Abatement Worker Refresher Course (full from 6/29/89).

Contractor/Supervisor (contingent from 2/28/89).

Contractor/Supervisor (full from 4/7/89).

Contractor/Supervisor Refresher Course (contingent from 2/28/89).

Contractor/Supervisor Refresher Course (full from 6/29/89).

Inspector/Management Planner (contingent from 2/28/89).

Inspector/Management Planner Refresher Course (contingent from 2/28/89).

Inspector/Management Planner Refresher Course (full from 6/29/89).

(12)(a) *Training Provider:* Hager Laboratories, Inc.

Address: 5930 McIntire St., P.O. Box 4012, Golden, CO 80403, Contact: Charles Metzger & D. Robinson, Phone: (303) 278-3400.

(b) *Approved Courses:*

Abatement Worker (full from 3/28/88).

Abatement Worker Refresher Course (contingent from 10/7/88).

Abatement Worker Refresher Course (full from 4/26/89).

Contractor/Supervisor (full from 3/28/88).

Contractor/Supervisor Refresher Course (contingent from 10/7/88).

Contractor/Supervisor Refresher Course (full from 1/25/89).

Inspector/Management Planner (contingent from 4/20/88).

Inspector/Management Planner (full from 5/2/88).

Inspector/Management Planner Refresher Course (contingent from 10/7/88).

Inspector/Management Planner Refresher Course (full from 12/6/89).

(13)(a) *Training Provider:* Industrial Health, Inc. (IHI).

Address: 640 East Wilmington Ave., Salt Lake City, UT 84106, Contact: Donald E. Marano, Phone: (801) 466-2223.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Abatement Worker (full from 11/13/89).

Abatement Worker Refresher Course (contingent from 6/15/89).

Contractor/Supervisor (contingent from 4/22/88).

Contractor/Supervisor (full from 11/13/89).

Contractor/Supervisor Refresher Course (contingent from 4/24/89).

Inspector/Management Planner (contingent from 2/28/89).

Inspector/Management Planner (full from 4/17/89).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

Inspector/Management Planner Refresher Course (full from 1/6/89).

Project Designer Refresher Course (contingent from 4/24/89).

(14)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 28.

Address: 360 Acoma St., Suite 216, Denver, CO 80223, Contact: Chet Graham & Pat Pfeifer, Phone: (303) 778-8602.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/28/89).

Abatement Worker (full from 4/28/89).

Abatement Worker Refresher Course (full from 7/21/89).

(15)(a) *Training Provider:* Laborers AGC Training Program for Montana.

Address: Rural Route 221D, Helena, MT 59601, Contact: Eugene Fenderson, Phone: (406) 442-9964.

(b) *Approved Course:*

Abatement Worker (contingent from 9/19/88).

(16)(a) *Training Provider:* Major Environmental & Training Services, Inc.

Address: 100 Garfield St., Suite 100, Denver, CO 80206, Contact: Tom Major Sr., Phone: (303) 322-9490.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/28/88).

Abatement Worker (full from 9/15/88).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 4/14/88).

Contractor/Supervisor (full from 9/5/88).

Contractor/Supervisor Refresher Course (contingent from 1/18/89).

Inspector/Management Planner (contingent from 1/2/88).

Inspector/Management Planner (full from 3/27/89).

Inspector/Management Planner Refresher Course (contingent from 1/18/89).

Project Designer (contingent from 1/28/88).

Project Designer Refresher Course (contingent from 1/18/89).

(17)(a) *Training Provider:* Midwest Asbestos Consultants, Inc. (MAC).

Address: 219 23rd St. North, Box 170, Fargo, ND 58107, Contact: Jerry Day, Phone: (701) 280-2286.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 5/23/89).

Abatement Worker Refresher Course (contingent from 7/31/89).

(18)(a) *Training Provider:* Misers Inspection & Training, Inc.

Address: 1600 South Cherokee St., Denver, CO 80223, Contact: Michael E. DiRito, Phone: (303) 761-0367.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 7/5/88).

Abatement Worker Refresher Course (contingent from 11/14/88).

Abatement Worker Refresher Course (full from 1/27/89).

Contractor/Supervisor (contingent from 6/17/88).

Contractor/Supervisor (full from 7/5/88).

Contractor/Supervisor Refresher Course (contingent from 11/14/88).

Contractor/Supervisor Refresher Course (full from 1/27/89).

(19)(a) *Training Provider*: NATEC International, Inc.

Address: 2761 West Oxford Ave., No. 7, Englewood, CO 80110, Contact: Lester Ablin, Phone: (303) 781-0422.

(b) *Approved Courses*:

Abatement Worker (contingent from 4/15/88).

Inspector/Management Planner (contingent from 6/2/89).

(20)(a) *Training Provider*: National Education Program for Asbestos (NEPA).

Address: 2863 West 8750 S, West Jordan, UT 84088, Contact: Mark A. Kirk, Phone: (801) 565-1400.

(b) *Approved Courses*:

Abatement Worker (contingent from 3/6/89).

Abatement Worker (full from 6/22/89).

Abatement Worker Refresher Course (contingent from 5/22/89).

Contractor/Supervisor (contingent from 5/22/89).

Contractor/Supervisor (full from 6/22/89).

(21)(a) *Training Provider*: Power Master, Inc.

Address: 13205 South State St., Draper, UT 84020, Contact: Brain Welty, Phone: (801) 571-9321.

(b) *Approved Course*:

Abatement Worker (contingent from 6/13/88).

(22)(a) *Training Provider*: Precision Safety & Services, Inc.

Address: 1045 W. Garden of Gods Rd., Bay T, Colorado Springs, CO 80907, Contact: James R. Mapes, Jr., Phone: (719) 593-8596.

(b) *Approved Courses*:

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 11/2/88).

(23)(a) *Training Provider*: R.S. Christiansen Asbestos Consultant.

Address: 4980 Holladay Blvd., Salt Lake City, UT 84117, Contact: R.S. Christiansen, Phone: (801) 572-2910.

(b) *Approved Courses*:

Abatement Worker (contingent from 7/29/88).

Abatement Worker (full from 12/7/88).

(24)(a) *Training Provider*: South Dakota State University College of Engineering.

Address: Box 2218, Brookings, SD 57007-0597, Contact: James Ceglian, Phone: (605) 688-4101.

(b) *Approved Courses*:

Contractor/Supervisor (contingent from 5/18/88).

Inspector/Management Planner (contingent from 5/18/88).

(25)(a) *Training Provider*: Survey Management & Design (SMD).

Address: RR 2, Box 85-B, Fargo, ND 58102, Contact: David A. Sohm, Phone: (701) 234-9556.

(b) *Approved Courses*:

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

Contractor/Supervisor (full from 5/2/89).

Inspector/Management Planner (contingent from 9/14/89).

Inspector/Management Planner (full from 10/15/89).

(26)(a) *Training Provider*: The Environmental Training Center.

Address: 2761 W. Oxford Ave., No. 7, Englewood, CO 80110, Contact: Les Ablin, Phone: (303) 781-0422.

(b) *Approved Courses*:

Abatement Worker (contingent from 9/21/89).

Contractor/Supervisor (contingent from 9/21/89).

(27)(a) *Training Provider*: University of Utah, Rocky Mountain Center for Occupational & Environmental Health.

Address: Dept. of Family & Preventive Medicine, Building 512, Salt Lake City, UT 84112, Contact: Jeffery S. Lee, Phone: (801) 581-5710.

(b) *Approved Courses*:

Abatement Worker (contingent from 9/27/88).

Abatement Worker (full from 9/27/88).

Contractor/Supervisor (contingent from 6/1/87).

Contractor/Supervisor (full from 6/1/87).

Contractor/Supervisor Refresher Course (contingent from 6/7/88).

Contractor/Supervisor Refresher Course (full from 11/13/88).

Inspector/Management Planner (contingent from 12/23/87).

Inspector/Management Planner (full from 2/8/88).

Inspector/Management Planner Refresher Course (contingent from 12/9/88).

Inspector/Management Planner Refresher Course (full from 12/14/88).

EPA-Approved Training Courses

REGION IX—San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-2), EPA, Region IX, 215 Fremont St., San Francisco, CA 94105, (415) 974-7290, (FTS) 454-7290.

List of Asbestos Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region IX training courses and contact points for each, are as follows:

(1)(a) *Training Provider*: Ahearn & Associates, Inc.

Address: 4047 E Rancho Drive, Phoenix, AZ 85018, Contact: Robert L. Hutzel, Phone: (602) 759-0235.

(b) *Approved Courses*:

Contractor/Supervisor Refresher Course (contingent from 12/6/89).

Inspector/Management Planner Refresher Course (contingent from 12/6/89).

(2)(a) *Training Provider*: Asbestos C.T.I.

Address: P.O. Box 228, Mokelumne Hill, CA 95245, Contact: Lee Hess, Phone: (209) 286-1249.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/31/89).

Contractor/Supervisor (contingent from 10/31/88).

Inspector (contingent from 3/21/89).

(3)(a) *Training Provider*: Asbestos Seminars and Consulting.

Address: 4032 S Hempstead Circle, San Diego, CA 92116, Contact: Susan Zuanich, Phone: (619) 528-0196.

(b) *Approved Courses*:

Abatement Worker Refresher Course (contingent from 12/6/89).

Contractor/Supervisor Refresher Course (contingent from 12/6/89).

Inspector/Management Planner Refresher Course (contingent from 12/6/89).

(4)(a) *Training Provider*: Asbestos Workers Abatement Training Program of Southern California.

Address: 1669 East Lincoln Ave., Orange, CA 92655-1929, Contact: James Riley, Phone: (714) 921-8110.

(b) *Approved Courses*:

Abatement Worker (contingent from 5/27/88).

Abatement Worker Refresher Course
(contingent from 10/18/89).
Contractor/Supervisor (contingent from
1/26/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(5)(a) *Training Provider:* California
State University Sacramento.

Address: 650 University Avenue, Suite
101A, Sacramento, CA 95825, Contact:
Jackie Branch, Phone: (916) 923-0282.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(6)(a) *Training Provider:* Carpenters
No. 46 Northern California Counties
J.A.T.C. & T.B.

Address: 2350 Santa Rita Rd.,
Pleasanton, CA 94566-4190, Contact:
Hugh Johnson, Phone: (415) 462-9840.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
31/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
12/1/88).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(7)(a) *Training Provider:* Center for
Accelerated Learning.

Address: 400 Buck Ave., Suite G,
Vacaville, CA 95688, Contact: David
Esparza, Phone: (707) 446-7996.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
1/88).

Abatement Worker Refresher Course
(contingent from 12/15/88).

Contractor/Supervisor (contingent from
6/1/88).

Contractor/Supervisor Refresher Course
(contingent from 12/15/88).

Inspector/Management Planner
(contingent from 6/30/88).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

Project Designer (contingent from 10/31/
89).

Project Designer Refresher Course
(contingent from 10/18/89).

(8)(a) *Training Provider:* DWC
Consulting Co., Inc.

Address: 1250 Pine St., Suite 307, Walnut
Creek, CA 94596, Contact: Dan
Weathers, Phone: (415) 933-9066.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/
3/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
4/3/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector/Management Planner
(contingent from 4/3/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

(9)(a) *Training Provider:* Dan Napier &
Associates.

Address: 15342 Hawthorne Blvd., Suite
207, P.O. Box 1540, Lawndale, CA
90260-6440, Contact: Dan Napier,
Phone: (213) 644-1924.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
18/88).

Abatement Worker Refresher Course
(contingent from 1/18/89).

Contractor/Supervisor (contingent from
3/27/89).

Contractor/Supervisor Refresher Course
(contingent from 1/18/89).

Inspector/Management Planner
(contingent from 4/3/89).

Inspector/Management Planner
Refresher Course (contingent from 3/
30/89).

Project Designer Refresher Course
(contingent from 3/30/89).

(10)(a) *Training Provider:* Design for
Health.

Address: 1516 W Redwood, Suite 104,
San Diego, CA 92101, Contact: Mary
A. Lacy, R.N., Phone: (619) 528-0196.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
30/89).

Abatement Worker Refresher Course
(contingent from 12/6/89).

Contractor/Supervisor Refresher Course
(contingent from 12/6/89).

Inspector/Management Planner
(contingent from 11/30/89).

(11)(a) *Training Provider:* Diagnostic
Engineering, Inc.

Address: 50 East Foothill Blvd., Arcadia,
CA 91006, Contact: Alan M. Lamson,
Phone: (818) 447-5216.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
27/88).

Contractor/Supervisor (contingent from
6/27/88).

Inspector/Management Planner
(contingent from 6/27/88).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

Project Designer (contingent from 12/1/
88).

Project Designer Refresher Course
(contingent from 10/18/89).

(12)(a) *Training Provider:* Enviro Med.

Address: 2200 E River Road, Suite 122,
Tucson, AZ 85718, Contact: Elizabeth
Shanley, Phone: (602) 577-0818.

(b) *Approved Courses:*

Contractor/Supervisor Refresher Course
(contingent from 12/6/89).

Inspector/Management Planner
Refresher Course (contingent from 12/
6/89).

(13)(a) *Training Provider:* Eagle
Environmental.

Address: 8840 A Elder Creek Rd.,
Sacramento, CA 95828, Contact: Larry
West, Phone: (916) 381-5548.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

Project Designer Refresher Course
(contingent from 10/18/89).

(14)(a) *Training Provider:* EnviroMD,
Inc.

Address: 3443 East Fort Lowell Rd.,
Tucson, AZ 85716, Contact: Thomas
Mc Mannus, Phone: (602) 681-1000.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
1/17/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector/Management Planner
(contingent from 10/31/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

(15)(a) *Training Provider:*

Environmental Control Industries.

Address: 5720 Shattuck Ave., Oakland,
CA 94609, Contact: Richard
McGlothlin, Phone: (415) 655-5855.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
1/88).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
10/31/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(16)(a) *Training Provider:*

Environmental Sciences, Inc.

Address: 105 E. Speedway, Tucson, AZ
85705, Contact: Dale Keyes, Phone:
(602) 792-0097.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 9/29/87).

Inspector/Management Planner (full
from 10/5/87).

Inspector/Management Planner
Refresher Course (contingent from 11/
14/88).

(17)(a) *Training Provider:* Excel Environmental, Inc.
Address: 739 Allston Way, Berkeley, CA 94710, Contact: Otis Wong, Phone: (415) 548-4300.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/28/87).
Abatement Worker Refresher Course (contingent from 12/1/88).
Contractor/Supervisor (contingent from 6/3/88).
Contractor/Supervisor Refresher Course (contingent from 12/1/88).

(18)(a) *Training Provider:* Hawaii Laborers Training School.
Address: P.O. Box 457, Aiea, HI 96701, Contact: Norman Jimeno, Phone: (808) 488-6161.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/27/88).
Abatement Worker Refresher Course (contingent from 10/18/89).

(19)(a) *Training Provider:* Herring & Herring.

Address: No. 9 Grits Court, Sacramento, CA 95823, Contact: Leslie Herring, Phone: (916) 421-6260.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/2/90).
Abatement Worker Refresher Course (contingent from 10/18/89).
Contractor/Supervisor (contingent from 1/2/90).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).

(20)(a) *Training Provider:* INFOTOX.
Address: 8531 Mission Blvd, Suite 24, Riverside, CA 92509, Contact: Paul Jackson, Phone: (714) 685-5053.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/18/89).
Abatement Worker Refresher Course (contingent from 10/18/89).
Contractor/Supervisor (contingent from 10/18/89).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).

(21)(a) *Training Provider:* Insulators & Asbestos Industry of Northern California & Local Union No. 16 Asbestos Training Fund.

Address: 2033 Clement Ave., Building 31, Room 112, Alameda, CA 94501, Contact: Hans D. Siebert, Phone: (415) 865-2292.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/27/88).
Contractor/Supervisor (contingent from 10/31/89).

(22)(a) *Training Provider:* International Technology Corp.

Address: 336 West Anaheim St., Wilmington, CA 90748, Contact: Keith Soebe, Phone: (213) 830-1781.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/24/87).
Abatement Worker Refresher Course (contingent from 3/29/89).
Contractor/Supervisor (contingent from 4/15/88).
Contractor/Supervisor Refresher Course (contingent from 3/29/89).

(23)(a) *Training Provider:* KELLCO Training Institute.

Address: 44814 Osgood Rd., Fremont, CA 94539, Contact: Charles W. Kellogg, Phone: (415) 659-9751.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/1/88).
Contractor/Supervisor (contingent from 7/20/88).
Contractor/Supervisor Refresher Course (contingent from 10/31/88).
Inspector/Management Planner (contingent from 3/21/89).

Inspector/Management Planner Refresher Course (contingent from 3/16/89).

(24)(a) *Training Provider:* Laborers Training & Retraining Trust Fund for Northern California.

Address: 21321 San Ramon Valley Blvd., San Ramon, CA 94583, Contact: Monte R. Strother, Phone: (415) 828-2513.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).
Abatement Worker Refresher Course (contingent from 12/15/88).

(25)(a) *Training Provider:* Laborers Training & Retraining Trust Fund for Southern California.

Address: P.O. Box 76, Anza, CA 92306-0076, Contact: Don Sanders, Phone: (714) 763-4341.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).
Abatement Worker Refresher Course (contingent from 10/18/89).

(26)(a) *Training Provider:* Lehr Training Institute, Inc.

Address: 4125 East La Palma Ave. Suite 300, Anaheim, CA 92807, Contact: Susan Patnode, Phone: (714) 572-0110.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/16/88).
Abatement Worker Refresher Course (contingent from 2/21/89).
Contractor/Supervisor (contingent from 2/16/88).
Contractor/Supervisor Refresher Course (contingent from 2/21/89).

Inspector/Management Planner (contingent from 10/31/88).
Inspector/Management Planner Refresher Course (contingent from 2/21/89).

(27)(a) *Training Provider:* National Abatement Technology Employment Center (NATEC).

Address: 11552 Knott St., Suite 8, Garden Grove, CA 92643, Contact: Ronald Sandlin, Phone: (714) 894-7577.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/30/87).
Abatement Worker Refresher Course (contingent from 11/14/88).
Contractor/Supervisor (contingent from 12/30/87).
Contractor/Supervisor Refresher Course (contingent from 11/14/88).

(28)(a) *Training Provider:* National Institute for Asbestos & Hazardous Waste Training.

Address: 1019 West Manchester Blvd., Inglewood, CA 90301, Contact: Jim McFarland, Phone: (213) 645-4516.

(b) *Approved Courses:*

Abatement Worker (full from 12/7/87).
Abatement Worker Refresher Course (contingent from 10/19/88).
Contractor/Supervisor (full from 12/7/87).
Contractor/Supervisor Refresher Course (contingent from 10/19/88).
Inspector/Management Planner (contingent from 6/30/88).
Inspector/Management Planner Refresher Course (contingent from 11/14/88).

(29)(a) *Training Provider:* Naval Civil Engineering Laboratory.

Address: Port Hueneme, CA 93043-5003, Contact: Susan C. Tianen, Phone: (805) 982-4711.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/31/89).
Abatement Worker Refresher Course (contingent from 10/18/89).
Contractor/Supervisor (contingent from 10/31/89).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).
Inspector (contingent from 4/6/89).

(30)(a) *Training Provider:* Occupational Training Institute, Inc.

Address: 5 Civic Center, Suite 225, Newport Beach, CA 92660, Contact: David K. Hardman, Phone: (714) 721-9578.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/21/89).
Abatement Worker Refresher Course (contingent from 2/21/89).

Contractor/Supervisor (contingent from 2/21/89).
 Contractor/Supervisor Refresher Course (contingent from 2/21/89).
 Inspector/Management Planner (contingent from 2/21/89).
 Inspector/Management Planner Refresher Course (contingent from 2/21/89).

(31)(a) *Training Provider:* Pacific Asbestos Information Center U.C. Extension.

Address: 2223 Fulton St., Berkeley, CA 94720, Contact: Debra Dobbin, Phone: (415) 643-7143.

(b) *Approved Courses:*

Contractor/Supervisor (full from 2/2/87).
 Contractor/Supervisor Refresher Course (contingent from 10/19/88).
 Inspector/Management Planner (full from 11/16/87).
 Inspector/Management Planner Refresher Course (contingent from 10/19/88).
 Project Designer (contingent from 10/31/89).

(32)(a) *Training Provider:* Robert Harvey Giese.

Address: 23214 Via Ladera, Valencia, CA 91355, Contact: Robert H. Giese, Phone: (805) 259-1478.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/6/89).
 Contractor/Supervisor (contingent from 12/6/89).
 Inspector/Management Planner (contingent from 12/6/89).

(33)(a) *Training Provider:* Salem Kroeger, Inc.

Address: 106 Church St., Roseville, CA 95678, Contact: Owen C. Tilley, Phone: (916) 784-7222.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/30/89).
 Abatement Worker Refresher Course (contingent from 4/3/89).
 Contractor/Supervisor (contingent from 3/30/89).
 Contractor/Supervisor Refresher Course (contingent from 4/3/89).
 Inspector Refresher Course (contingent from 4/3/89).

(34)(a) *Training Provider:* San Diego County Construction Laborers Training & Retraining Trust.

Address: 4161 Home Ave., Second Fl., San Diego, CA 92105, Contact: Bob White, Phone: (619) 263-6941.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/21/89).
 Abatement Worker Refresher Course (contingent from 10/18/89).

(35)(a) *Training Provider:* San Diego County District Council of Carpenters.
 Address: 4665 Mercury St., San Diego, CA 92111, Contact: Otis Kunz, Phone: (619) 571-8977.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/30/89).
 Contractor/Supervisor (contingent from 10/31/88).

(36)(a) *Training Provider:* Spectrum Environmental Training.
 Address: 6425 Bristol Pkwy., Suite 305, Culver City, CA 90230, Contact: Judy Armstrong, Phone: (213) 322-2332.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/6/89).
 Contractor/Supervisor (contingent from 12/6/89).

(37)(a) *Training Provider:* The Asbestos Institute.
 Address: 2701 East Camelback, Suite 381, Phoenix, AZ 85016, Contact: William T. Cavness, Phone: (602) 381-0896.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).
 Abatement Worker Refresher Course (contingent from 10/31/88).
 Contractor/Supervisor (contingent from 6/13/88).
 Contractor/Supervisor Refresher Course (contingent from 3/9/89).
 Inspector/Management Planner (contingent from 6/17/88).
 Inspector/Management Planner Refresher Course (contingent from 6/16/88).

(38)(a) *Training Provider:* University Associates, Ltd.

Address: 2425-A North Huachuca Dr., Tucson, AZ 85745, Contact: Carolyn Coker, Phone: (602) 624-9366.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 12/1/88).

(39)(a) *Training Provider:* University of Southern California Institute of Safety & Systems Management.

Address: University Gardens, 3500 South Figueroa St., Suite 202, Los Angeles, CA 90007, Contact: James O. Pierce, Phone: (213) 743-6523.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 2/15/88).
 Inspector/Management Planner (full from 8/2/88).
 Inspector/Management Planner Refresher Course (contingent from 2/23/89).

EPA-Approved Training Courses

REGION X—Seattle, WA

Regional Asbestos Coordinator: Walter Jasper, EPA, Region X, 1200 Sixth Ave. (8T-083), Seattle, WA 98101. (206) 442-4762, (FTS) 399-2870.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region X training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Artic Slope Consulting Group.

Address: 3801 S Cushman, Fairbanks, AK 99701-7529, Contact: Robert A. Perkins, Phone: (907) 451-6009.

(b) *Approved Course:*

Inspector/Management Planner Refresher Course (contingent from 10/25/89).

(2)(a) *Training Provider:* Asbestos Removal Technologies.

Address: P.O. Box 4762, Vancouver, WA 98662, Contact: Skip Gaultier, Phone: (800) 321-4121.

(b) *Approved Courses:*

Inspector/Management Planner Refresher Course (contingent from 10/25/89).

Inspector/Management Planner Refresher Course (full from 12/26/89).
 Project Designer Refresher Course (contingent from 10/25/89).

Project Designer Refresher Course (full from 12/26/89).

(3)(a) *Training Provider:* Asbestos Services International.

Address: 12360 Southwest Butner Rd., Portland, OR 97225-5815, Contact: Robert E. Hastings, Phone: (503) 644-0246.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 8/23/88).
 Inspector/Management Planner (full from 7/17/89).

Inspector/Management Planner Refresher Course (contingent from 10/31/88).

Inspector/Management Planner Refresher Course (full from 1/20/89).
 Project Designer (contingent from 10/31/88).

Project Designer (full from 1/17/89).

(4)(a) *Training Provider:* Certified Industrial Hygiene Services, Inc.

Address: 911 Western Ave., Suite 206, Seattle, WA 98104, Contact: Dorothy Stansel, Phone: (206) 622-1096.

(b) Approved Course:

Inspector (contingent from 3/25/88).

(5)(a) *Training Provider:* Engineering Continuing Education University of Washington.

Address: GG-13, Seattle, WA 98195.
Contact: Susan G. Stone, Phone: (206) 543-5539.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 1/26/88).

Inspector/Management Planner (full
from 2/8/88).

(6)(a) Training Provider:

Environmental Health Sciences Lake
Washington Vo-Tech.

Address: 11605 132nd Ave., NE,
Kirkland, WA 98034. Contact: Dave
Rodewald, Phone: (206) 828-5643.

(b) Approved Courses:

Inspector/Management Planner (full
from 4/11/88).

Inspector/Management Planner
Refresher Course (contingent from 1/
14/89).

Inspector/Management Planner
Refresher Course (full from 1/27/89).
Project Designer (contingent from 12/11/
89).

(7)(a) Training Provider:

Environmental Management, Inc.

Address: P.O. Box 91477, Anchorage, AK
99509, Contact: Kenneth Johnson,
Phone: (907) 272-8056.

(b) Approved Course:

Inspector/Management Planner (full
from 4/18/88).

(8)(a) Training Provider: Hazcon, Inc.

Address: 5950 6th Ave., S, Suite 216,
Seattle, WA 98108, Contact: Mike
Krause, Phone: (206) 763-7364.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 3/1/88).

Inspector/Management Planner (full
from 4/4/88).

Inspector/Management Planner
Refresher Course (contingent from 1/
18/89).

Inspector/Management Planner
Refresher Course (full from 1/30/89).

(9)(a) Training Provider: Heavy
Engineers, Inc.

Address: 113 Russell St., P.O. Box 832,
Stevenson, WA 98648-0832, Contact:
Daniel Evans, Phone: (509) 427-8936.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 4/13/88).

Inspector/Management Planner (full
from 5/2/88).

Inspector/Management Planner
Refresher Course (contingent from 1/
18/89).

Inspector/Management Planner
Refresher Course (full from 3/10/89).

(10)(a) *Training Provider:* NAC
Corporation/Northwest Asbestos
Consultants.

Address: 1005 Northwest Galveston,
Suite E, Bend, OR 97701, Contact: Dale
Schmidt, Phone: (503) 389-9727.

(b) Approved Courses:

Inspector/Management Planner
Refresher Course (contingent from 4/
25/89).

Inspector/Management Planner
Refresher Course (full from 7/24/89).

(11)(a) *Training Provider:* Northwest
Envirocon, Inc.

Address: 4020 Southeast International
Way, Suite C-106, Milwaukie, OR
97222, Contact: Shiela Wanta, Phone:
(503) 659-8899.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 4/13/88).

Inspector/Management Planner (full
from 5/2/88).

(12)(a) *Training Provider:* PBS
Environmental Building Consultants,
Inc.

Address: 1220 South West Morrison,
Portland, OR 97205, Contact: Stephen
Smiley, Phone: (503) 248-1939.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 2/4/88).

Inspector/Management Planner (full
from 3/14/88).

Inspector/Management Planner
Refresher Course (contingent from 3/
14/89).

Inspector/Management Planner
Refresher Course (full from 6/30/89).

Project Designer (contingent from 6/9/
89).

Project Designer (full from 6/19/89).

Project Designer Refresher Course
(contingent from 10/25/89).

(13)(a) *Training Provider:* South East
Regional Resource Center, Inc.

Address: 210 Ferry Way, Suite 200,
Juneau, AK 99801, Contact: William
Suss, Phone: (907) 586-6806.

(b) Approved Course:

Inspector/Management Planner
Refresher Course (contingent from 4/
18/89).

(14)(a) *Training Provider:* Specialized
Environmental Consulting, Inc.

Address: P.O. Box 363, Wauna, WA
98395, Contact: Raymond Donahue,
Phone: (206) 857-3222.

(b) Approved Courses:

Inspector/Management Planner
Refresher Course (contingent from 3/
7/89).

Inspector/Management Planner
Refresher Course (full from 3/20/89).

(15)(a) *Training Provider:* University
of Alaska, Mining & Petroleum Training
Services.

Address: 155 Smith Way, Suite 104,
Soldotna, AK 99669, Contact: Dennis
D. Steffy, Phone: (907) 262-2788.

(b) Approved Courses:

Inspector/Management Planner
(contingent from 2/16/88).

Inspector/Management Planner (full
from 4/11/88).

Inspector/Management Planner
Refresher Course (contingent from 1/
14/89).

(16)(a) *Training Provider:* Valley
Research Corporation.

Address: 1299 E. 2400 St., Hagerman, ID
83332, Contact: Leon Urie, Phone: (208)
837-6437.

(b) Approved Course:

Contractor/Supervisor (contingent from
10/20/89).

(17)(a) *Training Provider:* Washington
Association of Maintenance &
Operations Administrators, WAMOA.

Address: 12037 Northeast Fifth,
Bellevue, WA 98005, Contact: Colin
MacRae, Phone: (206) 455-6054.

(b) Approved Courses:

Inspector/Management Planner
Refresher Course (contingent from 4/
25/89).

Inspector/Management Planner
Refresher Course (full from 7/24/89).

**V. List of EPA-Accredited Polarized
Light Microscopy (PLM) Laboratories****A. Background**

Section 206(d) of Title II requires EPA
to provide for the development of an
accreditation program through the
National Institute of Standards and
Technology (NIST), formerly the
National Bureau of Standards (NBS), for
laboratories conducting analyses of bulk
samples of asbestos-containing
materials. NIST began initial
evaluations of enrolled laboratories in
October 1988 and has accredited
approximately 550 PLM laboratories to
date. NIST will continue to accredit
laboratories on a regular basis.

EPA, to initially provide LEAs with a
source of accredited laboratories until
NIST completed its laboratory
evaluations, established the "Interim
Asbestos Bulk Sample Analysis Quality
Assurance Program." EPA announced
the program in the *Federal Register* of
September 30, 1987 (52 FR 33470). In the
program, laboratories successfully
meeting EPA requirements were
provided EPA Interim Accreditation.
However, as of October 30, 1989, all EPA
Interim Accreditations were removed.

EPA published a notice in the *Federal Register* on September 18, 1989 (54 FR 38436) describing the removal process. Specifically, the notice stated all EPA accredited laboratories must receive NIST accreditation by October 30, 1989.

The following listing includes *commercial* and *noncommercial* laboratories currently accredited in the NIST National Voluntary Laboratory Accreditation Program (NVLAP). NIST continues to evaluate the accredited laboratories with ongoing proficiency testing rounds. It is possible some accredited laboratories could lose their accredited status based on their performance in NIST proficiency testing rounds. If this happens, NIST will assign the term "suspended" to the accredited status of the laboratory. EPA does not consider a suspended accreditation to meet the regulatory requirements for the utilization of an accredited laboratory. Hence, LEAs must not use suspended laboratories. Prior to selecting a laboratory, LEAs should contact NIST at (301) 975-4016 to verify the accredited status of the laboratory. Additional copies of this listing may be obtained by calling (202) 554-1404.

EPA Accredited Commercial PLM Laboratories

REGION I—Boston, MA

Regional Asbestos Coordinator: Joe DeCola, EPA, Region I, Air and Management Division (APT-2311), JFK Federal Building, Boston, MA 02203. (617) 565-3835, (FTS) 835-3835.

(1) *Laboratory:* Aetna Life & Casualty (NIST), Engineering Department W101. Address: 575 Pigeon Hill Rd., Windsor, CT 06095, Contact: Ethel Patricio, Phone: (203) 683-3647.

(2) *Laboratory:* Air Quality Consultants (NIST).

Address: 406 Libbey Pkwy., Weymouth, MA 02189, Contact: John E. O'Malley, Phone: (617) 337-7320.

(3) *Laboratory:* Allied Engineering, Inc. (NIST).

Address: 11 Columbia St., Augusta, ME 04330, Contact: Gary Bates, Phone: (207) 623-9299.

(4) *Laboratory:* Analytical Testing Services (NIST).

Address: 180 Weeden St., Pawtucket, RI 02860-1804, Contact: Robert F. Weisberg, Phone: (401) 723-7978.

(5) *Laboratory:* Applied Occupational Health Systems (NIST).

Address: 29 River Rd., Suite 18, Concord, NH 03301, Contact: Richard R. Kretovich, Phone: (603) 228-3610.

(6) *Laboratory:* Balsam Environmental Consultants, Inc. (NIST).

Address: 225 Western Ave., Augusta, ME 04330, Contact: Frank Hill, Phone: (603) 893-0616.

(7) *Laboratory:* Balsam Environmental Consultants, Inc. (NIST).

Address: 59 Stiles Rd., Salem, NH 03079, Contact: Linda Goodreau, Phone: (603) 893-0616.

(8) *Laboratory:* Barnes and Jarnis, Inc.

Address: 216 Tremont St., Boston, MA 02116, Contact: Albert Szezur, Phone: (617) 542-6521.

(9) *Laboratory:* Briggs Associates, Inc. (NIST).

Address: 400 Hingham St., Rockland, MA 02370, Contact: James Litrides, Phone: (617) 871-6040.

(10) *Laboratory:* Brooks Laboratories, Inc. (NIST).

Address: 44 Codfish Ln., Weston, CT 06883, Contact: Margaret Y. Brooks, Phone: (203) 226-6970.

(11) *Laboratory:* CON-TEST, Inc. (NIST).

Address: 39 Spruce St., East Longmeadow, MA 01028, Contact: Thomas E. Veratti, Phone: (413) 525-1198.

(12) *Laboratory:* CT State Dept. of Health Lab (NIST).

Address: 10 Clinton St., P.O. Box 1689, Hartford, CT 06106, Contact: Janet B. Kapish, Phone: (203) 566-5626.

(13) *Laboratory:* Certified Engineering & Testing Co., Inc. (NIST).

Address: 25 Mathewson Dr., Weymouth, MA 02189, Contact: Kevin Kelley, Phone: (617) 337-7887.

(14) *Laboratory:* Certified Engineering & Testing Co., Inc. of Rhode Island (NIST).

Address: 400 Smith St., Providence, RI 02908, Contact: Maria Stoeckel, Phone: (401) 831-9090.

(15) *Laboratory:* Chem Scope, Inc. (NIST).

Address: P.O. Box 389, Fair Haven Station, New Haven, CT 06513, Contact: Ronald D. Arena, Phone: (203) 468-0055.

(16) *Laboratory:* Covino Environmental Consultants, Inc. (NIST).

Address: 12 Walnut Hill Pk., Woburn, MA 01801, Contact: Samuel J. Covino, Jr., Phone: (617) 933-2555.

(17) *Laboratory:* Dennison Environmental, Inc. (NIST).

Address: 35 Industrial Pkwy., Woburn, MA 01801, Contact: James E. Dennison, Phone: (617) 932-9400.

(18) *Laboratory:* EHL (NIST), Division of Cigna Corp.

Address: 94 Murphy Rd., Hartford, CT 06114, Contact: Jim Kenny, Phone: (203) 522-3814.

(19) *Laboratory:* ESA Laboratories (NIST).

Address: 43 Wiggins Ave., Bedford, MA 01730, Contact: Reg Griffin, Phone: (617) 275-0100.

(20) *Laboratory:* Eastern Analytical Laboratories, Inc. (NIST).

Address: 149 Rangeway Rd., North Billerica, MA 01862, Contact: Robert MacDonald, Phone: (617) 272-5212.

(21) *Laboratory:* Enviro Research (NIST).

Address: 141 Prestige Park Rd., East Hartford, CT 06108, Contact: Arthur C. Cosmas, Phone: (203) 289-6493.

(22) *Laboratory:* Enviro-Lab, Inc. (NIST).

Address: 154 Grove St., Chicopee, MA 01020, Contact: Peter R. Tuttle, Phone: (413) 592-0030.

(23) *Laboratory:* Enviromed Services, Inc. (NIST).

Address: 25 Science Pk., New Haven, CT 06511, Contact: Joseph Pasquariello, Phone: (203) 786-5580.

(24) *Laboratory:* Environmental Associates, Inc. (NIST).

Address: 1222 Fairfield Ave., Bridgeport, CT 06605, Contact: Ralph Wrech, Phone: (203) 368-6064.

(25) *Laboratory:* Hunter Environmental Sciences, Inc. (NIST).

Address: 10 Lewis St., P.O. Box 289, Lincoln, MA 01773, Contact: W. Bruce Hunter, Phone: (617) 259-0800.

(26) *Laboratory:* Hygeia, Inc. (NIST).

Address: 303 Bear Hill Rd., Waltham, MA 02154, Contact: John R. Pilling, Phone: (617) 890-4999.

(27) *Laboratory:* Hygenix, Inc. (NIST).

Address: 40 Hoyt St., Stamford, CT 06905, Contact: Arthur Morris, Phone: (203) 324-2222.

(28) *Laboratory:* Hygienetics Analytical Services, Inc. (NIST).

Address: 150 Causeway St., Boston, MA 02114, Contact: Jack Yee, Sr., Phone: (617) 723-4664.

(29) *Laboratory:* Industrial Hygiene/New England (NIST).

Address: P.O. Box 1158, Kennebunk, ME 04043, Contact: Lori Burns, Phone: (207) 985-6110.

(30) *Laboratory:* Industrial Hygiene/New England, Inc. (NIST).

Address: 157 Park St., Bangor, ME 04401, Contact: Peter Noddin, Phone: (207) 947-6645.

(31) *Laboratory:* Kaselann & D'Angelo Associates, Inc. (NIST).

Address: 500 Victory Rd., Suite 270,
Marina Bay, MA 02171, Contact:
Marianne Rogers, Phone: (617) 472-
1330.

(32) *Laboratory*: MMR, Inc. (NIST).

Address: P.O. Box 810, 241 West
Boylston St., West Boylston, MA
01583, Contact: David Krashes, Phone:
(617) 835-6262.

(33) *Laboratory*: Massachusetts
Commonwealth (NIST), Div. of
Occupational Hygiene.

Address: 1001 Watertown St., West
Newton, MA 02165, Contact: Patricia
Circone, Phone: (617) 528-0635.

(34) *Laboratory*: Mystic Air Quality
Consultants (NIST).

Address: 1085 Buddington Rd., Groton,
CT 06340, Contact: Christopher Eident,
Phone: (203) 449-8903.

(35) *Laboratory*: New Hampshire Div.
of Public Health (NIST), Public Health
Laboratory.

Address: 6 Hazen Dr., Concord, NH
03301, Contact: Veronica Malmberg,
Phone: (603) 271-4657.

(36) *Laboratory*: Northeast Test
Consultants (NIST).

Address: 587 Spring St., Westbrook, ME
04092, Contact: Stephen Broadhead,
Phone: (207) 854-3939.

(37) *Laboratory*: Norwich
Laboratories, Inc. (NIST).

Address: 750 North Pleasant St.,
Amherst, MA 01002, Contact: Nina
Inchardi, Phone: (413) 549-6884.

(38) *Laboratory*: R.I. Analytical
Laboratories Inc. (NIST).

Address: 1040 Mineral Spring Ave.,
North Providence, RI 02904, Contact:
Scott Patefield, Phone: (401) 725-4190.

(39) *Laboratory*: Shelburne
Laboratories, Inc. (NIST).

Address: 74 Ethan Allen Dr., P.O. Box
9479, South Burlington, VT 05403,
Contact: Robert J. Emerson, Phone:
(802) 658-5798.

(40) *Laboratory*: TRC Environmental
Consultants, Inc. (NIST).

Address: 800 Connecticut Blvd., East
Hartford, CT 06108, Contact: Paul
Hunt, Phone: (203) 289-8631.

(41) *Laboratory*: Testwell Craig Labs
of Connecticut, Inc. (NIST).

Address: 25 Henry St., Bethel, CT 06801,
Contact: Richard Speciale, Phone:
(203) 743-7281.

(42) *Laboratory*: The Hartford Steam
Boiler I & I Co. (NIST), Environmental
Services Laboratory.

Address: One State St., Hartford, CT
06102, Contact: Joanne Kuvalanka,
Phone: (203) 722-5476.

(43) *Laboratory*: The Travelers
Insurance Companies (NIST).

Address: 248 Constitution Plaza,
Hartford, CT 06183, Contact: Anita
Saughvi, Phone: (203) 277-3413.

EPA Accredited Commercial PLM
Laboratories

REGION II—Edison, NJ

Regional Asbestos Coordinator:
Arnold Freiburger, EPA, Region II,
Woodbridge Ave., Raritan Depot, Bldg.
5, (MS-500), Edison, NJ 08837. (201) 321-
6671, (FTS) 340-6671.

(1) *Laboratory*: ASBESCO, Inc. (NIST).

Address: 961 Lydell Ave., Bldg. 2, Suite
8, Rochester, NY 14606, Contact:
Dmitry Tsimberov, Phone: (716) 647-
2530.

(2) *Laboratory*: ASTECH, Inc. (NIST).

Address: 317 West Milton Ave.,
Rahway, NJ 07065, Contact: Michael
Matarazzo, Phone: (201) 396-4455.

(3) *Laboratory*: ASTECO, Inc. (NIST).

Address: 4287 Witmer Rd., P.O. Box
2204, Niagara Falls, NY 14305,
Contact: Fred Smith, Phone: (716) 297-
5992.

(4) *Laboratory*: ATC Environmental,
Inc. (NIST).

Address: 104 East 25th St., New York,
NY 10010, Contact: Edwin Levin,
Phone: (212) 353-8280.

(5) *Laboratory*: Adelaide
Environmental Health Associates
(NIST).

Address: 61 Front St, Binghamton, NY
13905, Contact: Gaig Benson, Phone:
(607) 722-6839.

(6) *Laboratory*: Adelaide
Environmental Health Associates
(NIST).

Address: 845 North Broadway, Suite 200,
White Plains, NY 10601, Contact: Ron
Bielinski, Phone: (914) 949-3109.

(7) *Laboratory*: Adirondack
Environmental Services (NIST).

Address: 298 Riverside Ave., P.O. Box
265, Rensselaer, NY 12144, Contact:
Thomas Hare, Phone: (518) 785-0128.

(8) *Laboratory*: Alternative Ways,
Inc./AEM, Inc. (NIST).

Address: P.O. Box 1147, 100 Essex Rd.,
Bellmawr, NJ 08031, Contact: John
Luxford, Phone: (609) 933-1663.

(9) *Laboratory*: Ambient Labs, Inc.
(NIST).

Address: 119 West 23rd St., New York,
NY 10011, Contact: William A.
Esposito, Phone: (212) 962-4242.

(10) *Laboratory*: American Testing
Labs, Inc. (NIST).

Address: P.O. Box 102, Bronx, NY 10471,
Contact: George Kan, Phone: (212)
796-4761.

(11) *Laboratory*: Applied
Environmental Technology, Inc. (NIST).

Address: 316 Cooper Center,
Pennsauken, NJ 08109, Contact:
Willard Kingsley, Phone: (609) 488-
9200.

(12) *Laboratory*: Applied Geo
Services, Inc. (NIST).

Address: 41 Union Square W, Suite 1125,
New York, NY 10003, Contact: Jeffrey
A. Forgang, Phone: (212) 633-1113.

(13) *Laboratory*: Asbestos
Consultancy Service (NIST), Holiday
Bldg.

Address: 121 State Highway 36, West
Tong Branch, NJ 07764, Contact:
George Forrest, Phone: (201) 571-1400.

(14) *Laboratory*: Assessment
Technologies, Inc. (NIST).

Address: 323 W. 39th St., New York, NY
10018, Contact: Jay Sall, Phone: (212)
564-8222.

(15) *Laboratory*: Atlantic
Environmental, Inc. (NIST).

Address: 2 East Blackwell St., Suite 24,
Dover, NJ 07801, Contact: David
Pearson, Phone: (201) 366-4660.

(16) *Laboratory*: Atlantic
Environmental, Inc. (NIST).

Address: 239 Perrine Ave., Elberon, NJ
07801, Contact: James McVeigh,
Phone: (201) 222-1157.

(17) *Laboratory*: Barnes & Jarnis, Inc.
(NIST).

Address: 373 Park Ave. S, 11th Fl., New
York, NY 10016-8865, Contact: Jay
Holmes, Phone: (212) 532-6433.

(18) *Laboratory*: Brad Associates
(NIST).

Address: 1 Rosanne Ct., Lake
Ronkonkoma, NY 11779, Contact:
Benito P. San Pedro, Phone: (516) 467-
4539.

(19) *Laboratory*: Briggs Associates,
Inc. (NIST).

Address: 361 Hanover St., Portsmouth,
NJ 03801, Contact: Janice Smith,
Phone: (603) 431-2870.

(20) *Laboratory*: Buck Engineering &
Environmental Laboratory (NIST).

Address: 100 Tompkins St., Courtland,
NY 13045, Contact: John H. Buck,
Phone: (607) 753-3403.

(21) *Laboratory*: Buffalo Testing Labs.,
Inc. (NIST).

Address: 902 Kenmore Ave., Buffalo, NY
14216, Contact: Edward J. Kris, Phone:
(716) 873-2302.

(22) *Laboratory*: Bulava
Environmental, Inc. (NIST).

Address: 13 Hunt Club Rd., Belle Mead,
NJ 08502, Contact: Edward J. Bulava,
Phone: (201) 874-6207.

(23) *Laboratory*: Calibrations (NIST).

Address: 802 Watervliet Shaker Rd., Latham, NY 12210, Contact: Sascha Percent, Phone: (518) 786-1865.

(24) *Laboratory*: Certified Engineering & Testing Co. of Upstate New York, Inc. (NIST).

Address: 288 Genesee St., Utica, NY 13502, Contact: Mark S. Evans, Phone: (315) 732-3826.

(25) *Laboratory*: Chenango Environmental Laboratory, Inc. (NIST).

Address: 350 State St., Binghamton, NY 13901, Contact: Tim Sayers, Phone: (607) 723-8175.

(26) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).

Address: 160 Fieldcrest Ave., Raritan Center, Edison, NJ 08837, Contact: Lee Schumann, Phone: (201) 225-6040.

(27) *Laboratory*: Comprehensive Analytical Group (NIST).

Address: 147 Midler Park Dr., P.O. Box 254, Syracuse, NY 13206, Contact: Jeffrey Berry, Phone: (315) 432-0855.

(28) *Laboratory*: Dames & Moore (NIST).

Address: 12 Commerce Dr., Cranford, NJ 07016-1101, Contact: Margaret Lynch, Phone: (201) 272-8300.

(29) *Laboratory*: Detail Associates, Inc. (NIST).

Address: 310 Grand St., Engelwood, NJ 07631, Contact: Stephen A. Jaraczewski, Phone: (201) 569-6708.

(30) *Laboratory*: Eastern Analytical Services, Inc. (NIST).

Address: 4 Westchester Plaza, Elmsford, NY 10523-1601, Contact: Paul Stascavage, Phone: (914) 592-8380.

(31) *Laboratory*: Ecology & Environment, Inc. (NIST).

Address: 4285 Genesee St., Buffalo, NY 14225, Contact: Andrew Clifton, Phone: (716) 631-0360.

(32) *Laboratory*: Electron-Microscopy Service Laboratories, Inc. (NIST).

Address: 108 Haddon Ave., Westmont, NJ 08108, Contact: Peter Frasca, Phone: (609) 858-4800.

(33) *Laboratory*: Enviro-Probe, Inc. (NIST).

Address: 17 Heritage Dr., Edison, NJ 08820, Contact: Ved Kukreja, Phone: (201) 769-0274.

(34) *Laboratory*: Enviro-Probe, Inc. (NIST).

Address: 2917 Bruckner Blvd., Bronx, NY 10461, Contact: Ved Kukreja, Phone: (212) 863-0045.

(35) *Laboratory*: Environmental Management Systems, Inc. (NIST).

Address: 14 Sarafian Rd., New Paltz, NY 12561, Contact: Martin S. Rutstein, Phone: (914) 255-1034.

(36) *Laboratory*: Environmental Monitoring & Consulting Associates (NIST).

Address: P.O. Box 872, Somerville, NJ 08876, Contact: Joel Russell, Phone: (201) 249-3005.

(37) *Laboratory*: Exxon Biomedical Sciences, Inc. (NIST), IH Analytical Laboratory.

Address: Mettlers Rd., CN2350, East Millstone, NJ 08875-2350, Contact: John E. Stillman, Phone: (201) 873-6033.

(38) *Laboratory*: Friends Laboratory, Inc. (NIST).

Address: 446 Broad St., Waverly, NY 14892-1445, Contact: Douglas Friend, Phone: (607) 565-2893.

(39) *Laboratory*: Galson Technical Services (NIST).

Address: 6601 Kirkville Rd., East Syracuse, NY 13057, Contact: Joseph Unangst, Phone: (315) 432-0506.

(40) *Laboratory*: Hall-Kimbrell Environmental Services (NIST).

Address: 129-09 26th Ave., Flushing, NY 11354-1166, Contact: Robert Farley, Phone: (718) 445-9090.

(41) *Laboratory*: Hazardous Waste Engineering Consultants, Inc. (NIST).

Address: 47 Hudson St., Ossining, NY 10562, Contact: Marco Pedone, Phone: (914) 762-9000.

(42) *Laboratory*: Hillman Environmental Co. (NIST).

Address: 1089 Cedar Ave., Union, NJ 07083, Contact: Joseph P. Hillman, Phone: (201) 686-3335.

(43) *Laboratory*: Hoffman-La Roche, Inc. (NIST).

Address: 340 Kingsland St., Nutley, NJ 07110, Contact: Yacoub Doumato, Phone: (201) 235-3248.

(44) *Laboratory*: Hygeia, Inc. (NIST).

Address: 276 Fifth Ave., Suite 503, New York, NY 10001, Contact: Marianne Thorpe, Phone: (212) 545-7822.

(45) *Laboratory*: Independent Asbestos Labs, Inc. (NIST).

Address: 5900 Butternut Dr., East Syracuse, NY 13057, Contact: Fred Terracina, Phone: (315) 437-1122.

(46) *Laboratory*: Independent Testing & Consultation, Inc. (NIST).

Address: 386 Line Rd., P.O. Box 539, Holmdel, NJ 07733, Contact: Anthony Matthews, Phone: (201) 583-2538.

(47) *Laboratory*: Industrial Testing Laboratories (NIST).

Address: 50 Madison Ave., New York, NY 10010, Contact: Kenneth J. Kohlhof, Phone: (212) 685-8788.

(48) *Laboratory*: International Asbestos Testing Laboratories (IATL) (NIST).

Address: 36 North Pine Ave., Maple Shade, NJ 08052, Contact: Emil M. Ondra, Phone: (609) 779-7792.

(49) *Laboratory*: Kaselaan & D'Angelo Associates, Inc. (NIST).

Address: 515 Grove St., Haddon Heights, NJ 08035, Contact: Marianne Rogers, Phone: (609) 547-6500.

(50) *Laboratory*: Kemron Environmental Services (NIST).

Address: 755 New York Ave., Huntington, NY 11743, Contact: Patricia Kirkland, Phone: (516) 427-0950.

(51) *Laboratory*: Laboratory Testing Services, Inc. (NIST).

Address: 75 Urban Ave., Westbury, NY 11590, Contact: Brian Heneveld, Phone: (516) 334-7770.

(52) *Laboratory*: Lozier Laboratories (NIST).

Address: 23 North Main St., Fairport, NY 14450, Contact: Alan J. Laffin, Phone: (716) 223-0050.

(53) *Laboratory*: Moby II (NIST).

Address: 1615 9th Ave., Bohemia, NY 11716, Contact: Andrew Hiscock, Phone: (516) 467-8477.

(54) *Laboratory*: Monroe Monitoring & Analysis (NIST).

Address: 1425 Mt. Read Blvd., Rochester, NY 14606, Contact: Herbert Dohr, Phone: (716) 546-8580.

(55) *Laboratory*: NET Northeast, Inc. (NIST).

Address: 5854 Butternut Dr., East Syracuse, NY 13057, Contact: Conrad Teufel, Phone: (315) 446-8795.

(56) *Laboratory*: National Testing Laboratories, Inc. (NIST).

Address: 27-14 39th Ave., Long Island City, NY 11101, Contact: Allen Ross, Phone: (718) 784-2626.

(57) *Laboratory*: New York City, Dept. of Sanitation (NIST), Environmental Police Laboratory.

Address: 2253 Broadway, Suite 800, New York, NY 10007, Contact: Daniel Millstone, Phone: (212) 240-4800.

(58) *Laboratory*: Northeastern Analytical Corp. (NIST).

Address: Evesham Corporation Center, 4 East Stow Rd., Unit 10, Marlton, NJ 08053, Contact: William Dolan, Phone: (609) 651-1441.

(59) *Laboratory*: OBG Laboratories, Inc. (NIST).

Address: Box 4873, 1304 Buckley Rd., Syracuse, NY 13221, Contact: Michael Gerber, Phone: (315) 457-1494.

(60) *Laboratory*: Omega Laboratories, Inc. (NIST).

Address: 127 Main St., Hackensack, NJ 07601, Contact: John C. Walton, Phone: (201) 393-5647.

(61) *Laboratory*: PMK, Ferris, & Perricone, Inc. (NIST).

Address: 516 Bloy St., Hillside, NJ 07205, Contact: James Ferris, Phone: (201) 686-0044.

(62) *Laboratory*: Pedneault Associates, Inc. (NIST).

Address: 1615 9th Ave., Bohemia, NY 11716, Contact: John Pedneault, Phone: (516) 467-8477.

(63) *Laboratory*: Perritt Laboratories, Inc. (NIST).

Address: 145 South Main St., PO Box 147, Hightstown, NJ 08520, Contact: Richard Ward, Phone: (609) 443-4848.

(64) *Laboratory*: Powell Environmental Services, Inc. (NIST).

Address: Suite 9A, Camp Meeting Grounds, Delanco, NJ 08075, Contact: Michael D. Moschella, Phone: (609) 764-8886.

(65) *Laboratory*: Princeton Testing Laboratory (NIST).

Address: P.O. Box 3108, Princeton, NJ 08540, Contact: David Kichula, Phone: (609) 452-9050.

(66) *Laboratory*: Professional Service Ind., Inc. (NIST).

Address: 423A New Karner Rd., Albany, NY 12205, Contact: Samuel Battaglia, Phone: (518) 452-0777.

(67) *Laboratory*: Public Service Testing Laboratories, Inc. (NIST).

Address: 37-31 57th St., Woodside, NY 11377, Contact: Stephen DiMartino, Phone: (718) 476-9202.

(68) *Laboratory*: R-C-G BOCES Risk Management Services Lab (NIST).

Address: Brookview Rd., P.O. Box 26, Brookview, NY 12026, Contact: Rajender Abraham, Phone: (518) 732-7266.

(69) *Laboratory*: R.J. Lee Group, Inc. (NIST).

Address: 1741 Baseline Rd., Grand Island, NY 14072, Contact: Kuldrip Chopra, Phone: (716) 773-7625.

(70) *Laboratory*: Suffolk County Public & Env. Health Lab. (NIST).

Address: Veterans Memorial Hwy., Building 77, Hauppauge, NY 11788, Contact: Ronald Huttie, Phone: (516) 360-5528.

(71) *Laboratory*: TAKA Asbestos Analytical Services, Inc. (NIST) Environmental Testing.

Address: 8 Pine Hill Court, Northport, NY 11768, Contact: Thomas Kubic, Phone: (516) 261-2117.

(72) *Laboratory*: Testwell Craig Lab, Inc. (NIST).

Address: 47 Hudson St., Ossining, NY 10562, Contact: Marco J. Pedone, Phone: (914) 736-1776.

(73) *Laboratory*: Testwell Craig Laboratories of Albany, Inc. (NIST).

Address: 518 Clinton Ave., Albany, NY 12206, Contact: Stanley P. Purzycki, Phone: (518) 436-4114.

(74) *Laboratory*: Testwell Craig Laboratories, Inc. (NIST).

Address: 50 Passaic Ave., Fairfield, NJ 07006, Contact: Tony Poraello, Phone: (201) 882-8377.

(75) *Laboratory*: Testwell Craig Peters, Inc. (NIST).

Address: 127 Seeley Rd., Syracuse, NY 13224, Contact: Walter Peters, Phone: (315) 446-0008.

(76) *Laboratory*: Testwell Craig Testing Laboratories (NIST).

Address: 565 East Jarding Hwy., P.O. Box 477, Mays Landing, NJ 08330, Contact: James Kelly, Phone: (609) 625-1700.

(77) *Laboratory*: The Analytical Lab (NIST), Safety and Brookhaven National Lab.

Address: Bldg. 535A, Upton, NY 11973, Contact: Jana Kiram Naidu, Phone: (516) 282-4263.

(78) *Laboratory*: U.S. Testing Company, Inc., Environmental Sciences Division (NIST).

Address: 1415 Park Ave., Hoboken, NJ 07030, Contact: Ellen McCabe Noyes, Phone: (201) 792-2400.

EPA Accredited Commercial PLM Laboratories

REGION III—Philadelphia, PA

Regional Asbestos Coordinator: Carole Dougherty, EPA, Region III (3HW-42), 841 Chestnut Bldg., Philadelphia, PA 19107. (215) 597-3160, (FTS) 597-3160.

(1) *Laboratory*: AGX, Inc. (NIST).

Address: Freedom Professional Bldg., 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Kimberly Allison, Phone: (412) 776-1905.

(2) *Laboratory*: AMA Analytical Services (NIST).

Address: 4475 Forbes Blvd., Lanham, MD 20706, Contact: Len Burrelli, Phone: (800) 459-2640.

(3) *Laboratory*: ASBESTECH Division of AH and M Carolina, Inc. (NIST).

Address: P.O. Box 98, Dunbar, WV 25064, Contact: Orvie Nicholson, Phone: (304) 766-6224.

(4) *Laboratory*: ATEC Associates of Virginia, Inc. (NIST).

Address: 2551 Eltham Ave., Suite Z, Norfolk, VA 23513, Contact: Richard A. Vogel, Jr., Phone: (804) 857-6765.

(5) *Laboratory*: ATEC Associates, Inc. (NIST), Industrial Hygiene Division.

Address: 8989 Herrmann Dr., Columbia, MD 21045-8780, Contact: Paul A. Esposito, Phone: (301) 381-0232.

(6) *Laboratory*: Academy of IRM, Inc. (NIST).

Address: 1600 Winchester Rd., Annapolis, MD 21401, Contact: Bobby Leonard, Phone: (301) 757-7887.

(7) *Laboratory*: Accredited Environmental Technologies, Inc. (NIST).

Address: 28 North Pennell Rd., Lima, PA 19037, Contact: Jack Carney, Phone: (215) 891-0114.

(8) *Laboratory*: Advanced Analytical Laboratories, Inc. (NIST).

Address: 30th & North Church St., Hazleton, PA 18201, Contact: Thomas Martinelli, Phone: (717) 455-5115.

(9) *Laboratory*: Air Quality Analysis Associates (NIST).

Address: 1337 Perry Ave., Morgantown, WV 26505, Contact: John T. Jankovic, Phone: (304) 599-0023.

(10) *Laboratory*: Allegheny Asbestos Analysis, Inc. (NIST).

Address: 300 Mt. Lebanon Blvd., Suite 2217, Pittsburgh, PA 15234, Contact: Tammy Nagel, Phone: (412) 563-3744.

(11) *Laboratory*: Allegheny Mountain Research (NIST), Occupational Health Division.

Address: RD 1, Box 243A, Berlin, PA 15530-9546, Contact: Victor Kawchak, Phone: (814) 267-4404.

(12) *Laboratory*: Altest Environmental Labs (NIST).

Address: 28 West Main St., Plymouth, PA 18651, Contact: Frank Egenski, Phone: (717) 779-5377.

(13) *Laboratory*: American Medical Laboratories, Inc. (NIST).

Address: 11091 Main St., Fairfax, VA 22030, Contact: Elsie Sharon, Phone: (703) 691-9100.

(14) *Laboratory*: American Medical Laboratories, Inc. (NIST).

Address: 2000 Brema Rd., Suite 204, Richmond Medical Park, Richmond, VA 23226, Contact: Alton Bartlett, Phone: (703) 691-9100.

(15) *Laboratory*: Analytics (NIST).

Address: P.O. Box 25249, Richmond, VA 23260, Contact: James Calpin, Phone: (804) 353-8973.

(16) *Laboratory*: Analytics Laboratory, Inc. (NIST), Subs. of Roche Biomedical Laboratories Inc.

Address: 205 South Whiting St., Suite 405, Alexandria, VA 22304, Contact: Eugene Buie, Phone: (703) 751-3803.

(17) *Laboratory:* Analytics Laboratory, Inc. (NIST), Subs. of Roche Biomedical Laboratories, Inc.

Address: 4625 Pembroke Lake Cir., Virginia Beach, VA 23455, Contact: Christie Buie, Phone: (804) 857-0675.

(18) *Laboratory:* Apex Environmental, Inc. (NIST).

Address: 7652 Standish Pl., Rockville, MD 20855, Contact: Frank G. Fitzpatrick, Phone: (301) 217-9200.

(19) *Laboratory:* Applied Environmental Health & Safety Inc. (NIST).

Address: Reston International Center, 11800 Sunrise Valley Dr., Suite 1230, Reston, VA 22091, Contact: Jana Ambrose, Phone: (703) 648-0822.

(20) *Laboratory:* BCM Engineers, Inc. (NIST).

Address: 1850 Gravers Rd., Norristown, PA 19401, Contact: Linda Cox, Phone: (215) 275-0281.

(21) *Laboratory:* BCM Engineers, Inc. (NIST).

Address: 5777 Baum Blvd., Pittsburgh, PA 15206, Contact: Paul Jadowiec, Phone: (412) 361-6000.

(22) *Laboratory:* BCM Engineers, Inc.—Potomac (NIST).

Address: 600 W. Service Road, Suite 320, Washington, DC 20041, Contact: Nathan Williamson, Phone: (703) 260-0060.

(23) *Laboratory:* Batta Environmental Associates (NIST).

Address: Delaware Industrial Park, 6 Garfield, Way, Newark, DE 19713-3540, Contact: Steve Cahill, Phone: (302) 737-3376.

(24) *Laboratory:* Biospherics, Inc. (NIST).

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Lori Sletten, Phone: (301) 369-3900.

(25) *Laboratory:* Blue Ridge Analytical (NIST).

Address: 202 Bishop Rd., Blacksburg, VA 24060, Contact: David Violette, Phone: (703) 951-9283.

(26) *Laboratory:* Briggs Associates, Inc. (NIST).

Address: 8300 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Ross Voorhees, Phone: (301) 381-4434.

(27) *Laboratory:* Brujos Scientific, Inc. (NIST).

Address: 505 Drury Ln., Baltimore, MD 21229, Contact: Robert Olcerst, Phone: (301) 566-0859.

(28) *Laboratory:* Canitech, Inc. (NIST).

Address: McKnight-Ivory Bldg., Suite 202, 4550 McKnight Rd., Pittsburg, PA 15237, Contact: Carol McKee, Phone: (412) 931-1210.

(29) *Laboratory:* Cumberland Analytical Labs., Inc. (NIST).

Address: 56 North Second St., Chambersburg, PA 17201, Contact: D. R. Richner, Jr., Phone: (717) 263-5943.

(30) *Laboratory:* Eagle Industrial Hygiene Association Incorporated (NIST).

Address: 405 Masons Mill Rd., Huntingdon, PA 19006, Contact: Keith Crawford, Phone: (215) 657-2261.

(31) *Laboratory:* Enviromental Testing, Inc. (NIST).

Address: 100 S. Cass Street, Middletown, DE 19709, Contact: Gary Hayes, Phone: (302) 378-9881.

(32) *Laboratory:* Environmental Laboratories, Inc. (NIST).

Address: 9211 Burge Ave., Richmond, VA 23237, Contact: Terry Hall, Phone: (804) 271-3440.

(33) *Laboratory:* FREE-COL Laboratories (NIST).

Address: Cotton Rd., P.O. Box 557, Meadville, PA 16335-0557, Contact: J. Richard Wohler, Phone: (814) 724-6242.

(34) *Laboratory:* Galson Technical Services, Inc. (NIST).

Address: 5170 Campus Dr., Suite 200, Plymouth Meeting, PA 19462, Contact: Pamela Weaver, Phone: (215) 834-7288.

(35) *Laboratory:* Gannett Fleming Environmental Laboratory (NIST).

Address: 209 Senate Ave., Camp Hill, PA 17011, Contact: David W. Lane, Phone: (717) 763-7211.

(36) *Laboratory:* Geo-Environmental Services, Inc. (NIST).

Address: 18928 Germantown Rd., Germantown, MD 20874, Contact: John T. Razzolini, Phone: (301) 353-0338.

(37) *Laboratory:* HBI-USA (NIST).

Address: 10378 Democracy Lane, Fairfax, VA 22030, Contact: Peter Binnie, Phone: (703) 352-0102.

(38) *Laboratory:* Havens Laboratories, Inc. (NIST).

Address: 1130 East Market Street, Charlottesville, VA 22901, Contact: Stanley Havens, Phone: (804) 293-6000.

(39) *Laboratory:* I-TEM, Ltd. (NIST).

Address: North Lake Commerce Center, 12850 Middlebrook Rd., P.O. Box 1060, Germantown, MD 20874, Contact: Jorge Rangel, Phone: (301) 353-0585.

(40) *Laboratory:* Interscience Research, Inc. (NIST).

Address: 2614 Wyoming Ave., Norfolk, VA 23513, Contact: Joseph Guth, Phone: (804) 853-8813.

(41) *Laboratory:* JACA Corporation (NIST).

Address: 550 Pinetown Rd., Fort Washington, PA 19034, Contact: Robert Schlosser, Phone: (215) 643-5466.

(42) *Laboratory:* Lancaster Laboratories, Inc. (NIST).

Address: 2425 New Holland Ave., Lancaster, PA 17601, Contact: Barbara J. Weaver, Phone: (717) 656-2301.

(43) *Laboratory:* Law Engineering (NIST).

Address: 4465 Brookfield Corporate Dr., Chantilly, VA 22021, Contact: Philip Janney, Phone: (703) 966-4700.

(44) *Laboratory:* Lehigh Valley Analytics, Inc. (NIST).

Address: 60 West Broad St., Bethlehem, PA 18018, Contact: Barbara J. Davies, Phone: (215) 866-4434.

(45) *Laboratory:* MDS Laboratories (NIST).

Address: 4418 Pottsville Pike, Reading, PA 19605, Contact: Fred Usbeck, Phone: (215) 921-9191.

(46) *Laboratory:* Marine Chemist Service, Inc. (NIST).

Address: 11850 Tug Boat Ln., Newport News, VA 23606, Contact: Colleen Becker, Phone: (804) 873-0933.

(47) *Laboratory:* Medlab, Inc. (NIST).

Address: P.O. Box 2045, Wilmington, DE 19899, Contact: Sevag Sinanian, Phone: (302) 994-5764.

(48) *Laboratory:* Microbac Laboratories (NIST), Erie Testing Laboratory Division.

Address: 2411 West 26th Street, Erie, PA 16506, Contact: Michael McElhinny, Phone: (814) 833-4790.

(49) *Laboratory:* Microbac Mid-Atlantic (NIST).

Address: 5808 Jefferson Avenue, Newport News, VA 23605, Contact: Anthony Creech, Phone: (804) 874-4930.

(50) *Laboratory:* Mountaineer Testing Laboratories, Inc. (NIST).

Address: 425 North Jefferson, P.O. Box 767, Lewisburg, WV 24901, Contact: Rob Dillon, Phone: (304) 645-7114.

(51) *Laboratory:* Occupational Medical Center Lab (NIST).

Address: 4451 Parliament Pl., Lanham, MD 20706, Contact: Christopher Beza, Phone: (301) 306-0632.

(52) *Laboratory:* Oneil M. Banks, Inc. (NIST).

Address: 336 South Main St., Bel Air, MD 21014, Contact: Michelle L. Evans, Phone: (301) 879-4676.

(53) *Laboratory:* Pacific Environmental Services, Inc. (NIST).

- Address: 11440 Isaac Newton Sq., Suite 205, Reston, VA 22090, Contact: John Mazur, Phone: (703) 471-8383.
(54) *Laboratory*: Paleozoic Hydrocarbon Industries, Asbestos Lab Division of PHI (NIST).
Address: 132 Oakwood Rd., Charleston, WV 25314, Contact: S. M. Spencer, Jr., Phone: (304) 342-6424.
(55) *Laboratory*: Pennrun Corporation (NIST).
Address: 150 William Pitt Way, Pittsburgh, PA 15238, Contact: Valerie McDonald, Phone: (412) 826-5304.
(56) *Laboratory*: Pennsylvania Commonwealth.
Address: 2221 Forster St. Rm.G28, Rm. G28, Harrisburg, PA 17125, Contact: John Fisher, Phone: (717) 787-3882.
(57) *Laboratory*: Professional Service Ind., Inc. (NIST), Pittsburgh Testing Lab Division.
Address: 850 Poplar St., Pittsburgh, PA 15220, Contact: Bruce Erdner, Phone: (412) 922-4000.
(58) *Laboratory*: R.J. Lee Group (NIST).
Address: 350 Hochberg Rd., P.O. Box 278, Monroeville, PA 15146, Contact: Ian Stewart, Phone: (412) 325-1776.
(59) *Laboratory*: R.J. Lee Group (NIST).
Address: 10366 Battleview Pkwy., Manassas, VA 22110, Contact: Tom Dagenhart, Phone: (703) 368-7880.
(60) *Laboratory*: SSI Environmental Consultants (NIST).
Address: Expressway Pk., Gulf Lab Rd.—Harmarville, Pittsburgh, PA 15238, Contact: George M. Beck, Phone: (412) 828-9210.
(61) *Laboratory*: Schneider Laboratories, Inc. (NIST).
Address: 1427 West Main St., Richmond, VA 23226-4629, Contact: Richard F. Schneider, Phone: (804) 353-6778.
(62) *Laboratory*: Scientific & Environmental Analytical Svcs, Inc. (SEAS) (NIST).
Address: 202 Bishop Rd., Blacksburg, VA 23220, Contact: David Violette, Phone: (703) 951-9283.
(63) *Laboratory*: Spotts, Stevens, & McCoy (NIST).
Address: 345 North Wyomissing Blvd., Wyomissing, PA 19610, Contact: Steven Delp, Phone: (215) 376-6581.
(64) *Laboratory*: Structure Probe, Inc. (NIST).
Address: 535 East Gay St., P.O. Box 656, West Chester, PA 19381-0656, Contact: Kim Royer, Phone: (215) 436-5400.
(65) *Laboratory*: TC Analytics, Inc. (NIST).
Address: 1200 Boissevoir Ave., Norfolk, VA 23507, Contact: Steven Long, Phone: (804) 627-0400.
(66) *Laboratory*: Tracor Technology Resources, Inc. (NIST).
Address: 1601 Research Blvd., Rockville, MD 20850, Contact: Stephen Olin, Phone: (301) 964-2751.
(67) *Laboratory*: Versar, Inc. (NIST).
Address: 6650 Versar Center, Springfield, VA 22151, Contact: Marcie Wilson, Phone: (703) 750-3000.
(68) *Laboratory*: Volz Environmental Services (NIST).
Address: 3010 William Pitt Way, Pittsburgh, PA 15238, Contact: George J. Skarupa, Phone: (412) 826-3150.
(69) *Laboratory*: Washington Analytical Lab of VA, Inc. (Mobile Unit) (NIST).
Address: 14214 Coda Place, Chantilly, VA 22021, Contact: Hugh Granger, Phone: (703) 631-6870.
(70) *Laboratory*: Washington Analytical Laboratory, Inc. (NIST).
Address: 14214 Coda Place, Chantilly, VA 22021, Contact: R. Hugh Granger, Phone: (703) 631-6868.
(71) *Laboratory*: Wright Lab Services, Inc. (NIST).
Address: 34 Dogwood Ln., Middletown, PA 17057, Contact: Francine Walker, Phone: (717) 944-5541.
EPA Accredited Commercial PLM Laboratories
REGION IV—Atlanta, GA
Regional Asbestos Coordinator: Liz Wilde, EPA, Region IV, 345 Courtland St., NE, (4APT-PT), Atlanta, GA 30365. (404) 347-5014, (FTS) 257-5014.
(1) *Laboratory*: ATEC Associates, Inc. (NIST).
Address: 129 West Valley Ave., Birmingham, AL 38209, Contact: David Yates, Phone: (205) 945-9224.
(2) *Laboratory*: ATEC Associates, Inc. (NIST).
Address: 4845 Rosselle St., Jacksonville, FL 32205, Contact: Doug Carvel, Phone: (904) 387-6404.
(3) *Laboratory*: ATEC Associates, Inc. (NIST).
Address: 2990 Northwest 40 St., Miami, FL 33142, Contact: Michael H. Straube, Phone: (305) 633-2700.
(4) *Laboratory*: ATEC Associates, Inc. (NIST), Environmental Services Division.
Address: 1300 Williams Dr., Marietta, GA 30066-6299, Contact: Dwayne Cheatom, Phone: (404) 427-9456.
(5) *Laboratory*: ATEC Environmental Consultants (NIST).
Address: 1535 North Cogswell St., Suite A-5, Rockledge, FL 32955, Contact: Harry L. Capadano, Jr., Phone: (407) 631-6561.
(6) *Laboratory*: Advanced Industrial Hygiene Services, Inc. (NIST).
Address: 2131 Southwest 2nd Ave., Miami, FL 33129, Contact: Bruce Marchette, Phone: (305) 854-7554.
(7) *Laboratory*: American Microscopy Laboratory (NIST).
Address: 29 Heritage Hills, Tuscaloosa, AL 35406, Contact: M. A. Beg, Phone: (205) 345-2555.
(8) *Laboratory*: Analytical & Forensic Associates (NIST).
Address: 1913 Capri Dr., Huntsville, AL 35811, Contact: John Kilbourne, Phone: (205) 533-3188.
(9) *Laboratory*: Analytical Management, Inc. (NIST).
Address: P.O. Box 11279, Lexington, KY 40574, Contact: David H. McRae, Phone: (606) 231-6511.
(10) *Laboratory*: Apollo Environmental, Inc. (NIST).
Address: 11553 U.S. Highway 41 South, Gibsonton, FL 33534-9720, Contact: Patricia Craig, Phone: (813) 671-3999.
(11) *Laboratory*: Applied Environmental Testing Lab, Inc. (NIST).
Address: 680 Thornton Way, Suite 202, Lithia Springs, GA 30057, Contact: Ali A. Hassani Pak, Phone: (404) 948-4919.
(12) *Laboratory*: Applied Technical Services (NIST).
Address: 1190 Atlanta Industrial Dr., Marietta, GA 30066, Contact: Laurel V. Waters, Phone: (404) 423-1400.
(13) *Laboratory*: Asbestos Analysis and Information Service (NIST).
Address: P.O. Box 837, Fair Oaks, NC 27524, Contact: Kathy Westbrook, Phone: (919) 894-2804.
(14) *Laboratory*: Azimuth, Inc. (NIST).
Address: P.O. Box 71904, Charleston, SC 29415-1904, Contact: Charles B. Stoyale, Phone: (803) 553-9456.
(15) *Laboratory*: BCM Engineers, Inc. (NIST).
Address: 104 St. Francis St., Suite 400, Mobile, AL 36633, Contact: Sheri Sims, Phone: (205) 433-0517.
(16) *Laboratory*: Bonner Analytical Testing Co. (NIST).
Address: Rt. 14, Box 509, Hattiesburg, MS 39402, Contact: Michael Bonner, Phone: (601) 264-2854.
(17) *Laboratory*: Briggs Associates, Inc. (NIST).
Address: 4401 Vineland Rd., Suite A9, Orlando, FL 32811, Contact: William Newman, Phone: (407) 422-3522.

(18) *Laboratory*: Broward County Environmental Quality Control Board (NIST).

Address: 500 S.W. 14th Court, Ft. Lauderdale, FL 33315, Contact: Kenneth Larson, Phone: (305) 765-5881.

(19) *Laboratory*: CRU, Inc. (NIST).
Address: P.O. Box 24467, Louisville, KY 40224, Contact: Donna M. Ringo, Phone: (502) 426-8860.

(20) *Laboratory*: Carolina Environmental (NIST).

Address: 5104 Suite 201-C Western Blvd., Raleigh, NC 27606, Contact: Dale King, Phone: (919) 859-0477.

(21) *Laboratory*: Cavin Analytical Consultants (NIST).

Address: 2165-k West Park Ct., Stone Mountain, GA 30087-3547, Contact: Joy Cavin, Phone: (404) 498-8295.

(22) *Laboratory*: Certified Engineering and Testing Co., Inc. (NIST).

Address: 5175 Elmore Rd. Suite 1, Memphis, TN 38134, Contact: Sharon Frase, Phone: (901) 382-6282.

(23) *Laboratory*: Chem-Ray (NIST).

Address: P.O. Box 821, Florence, AL 35631, Contact: James D. Ray, Phone: (205) 776-4345.

(24) *Laboratory*: Chemalytics (NIST).

Address: 300 Doctors Bldg., 33 East Seventh St., Covington, KY 41011, Contact: Kenneth P. Reed, Phone: (606) 431-8224.

(25) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).

Address: 400 Chastain Center Blvd., NW, Suite 490, Kennesaw, GA 30144, Contact: Owen Crankshaw, Phone: (404) 499-7500.

(26) *Laboratory*: Davis & Floyd, Inc. (NIST).

Address: P.O. Drawer 428, Greenwood, SC 29648, Contact: William J. Day, Phone: (803) 229-5211.

(27) *Laboratory*: EEC, Inc. (NIST).

Address: 2245 North Hills Dr., Suite J, Raleigh, NC 27612, Contact: Mike Scrimanker, Phone: (919) 782-8910.

(28) *Laboratory*: EEC, Inc. (NIST).

Address: 500 Rivermont Rd., P.O. Box 11847, Columbia, SC 29210, Contact: Kevin Ulmer, Phone: (803) 256-7846.

(29) *Laboratory*: EMSL, Inc. (NIST).

Address: 1800 Peachtree St., NW, Suite 305, Atlanta, GA 30309, Contact: John Scarano, Phone: (404) 858-4800.

(30) *Laboratory*: Ecosafe, Inc. (NIST).

Address: 1713 Chapel Hill Rd., Durham, NC 27707, Contact: Steven L. Goode, Phone: (919) 493-2612.

(31) *Laboratory*: Enviro-Chem, Inc. (NIST).

Address: 762 Downtowner Loop W., Mobile, AL 36609, Contact: Charles Smilie, Phone: (205) 344-7711.

(32) *Laboratory*: EnviroSciences, Inc. (NIST).

Address: Montgomery Bldg., Suite 705, P.O. Box 5804, Spartanburg, SC 29304, Contact: Andrew G. Schauder, Phone: (803) 585-4900.

(33) *Laboratory*: Environmental Analytical Labs (NIST).

Address: Cobb Corporate Center/300, 350 Franklin Rd., Marietta, GA 30067, Contact: Jeremy A. Armstrong, Phone: (404) 425-9901.

(34) *Laboratory*: Environmental Health Laboratory (EHL) (NIST), Cigna Loss Control Services.

Address: 3920 Arkwright Rd., Macon, GA 31213, Contact: Jeanne Gibbs, Phone: (912) 471-4544.

(35) *Laboratory*: Environmental Laboratories, Inc. (NIST).

Address: 2496-C Tuckerstone Pkwy., Tucker, GA 30084, Contact: Charles Zollner, Phone: (404) 938-6819.

(36) *Laboratory*: Environmental Materials Consultants (NIST).

Address: P.O. Box 100161, 2217 10th Ct. S., Suite 200, Birmingham, AL 35210, Contact: Denny Stapp, Phone: (205) 933-0400.

(37) *Laboratory*: Environmental Materials Consultants (NIST).

Address: 492 South Court St., Montgomery, AL 36103, Contact: W. Hynes Kelley, Phone: (205) 265-4000.

(38) *Laboratory*: Environmental Protection Systems, Inc. (NIST).

Address: 7215 Pine Forest Rd., Pensacola, FL 32506, Contact: Don Gay, Phone: (904) 944-0301.

(39) *Laboratory*: Environmental Protection Systems, Inc. (NIST).

Address: 5360 I-55 North, P.O. Box 20382, Jackson, MS 39209, Contact: Herbert Johnston, Phone: (601) 956-1400.

(40) *Laboratory*: Envirosciences, Inc. (NIST).

Address: 3810-F Merton Dr., Raleigh, NC 27609, Contact: E. R. Childress, Phone: (919) 782-1487.

(41) *Laboratory*: Evans Environmental & Geological Science (NIST).

Address: 2631 SW 27th St., Coconut Grove, FL 33133, Contact: Charles Evans, Phone: (305) 856-7458.

(42) *Laboratory*: Fiber Lab, Inc. (NIST).

Address: P.O. Box 36726, Birmingham, AL 35236, Contact: David Hayes, Phone: (205) 822-8544.

(43) *Laboratory*: GSC Environmental Laboratories, Inc. (NIST).

Address: 1824 Bi Wylds Rd., Augusta, GA 30909, Contact: Dan Troutman, Phone: (404) 737-0185.

(44) *Laboratory*: Geo-Environmental Services, Inc. (NIST).

Address: 141 West Wieuca Rd., Suite 200A, Atlanta, GA 30342, Contact: Susan Harper, Phone: (404) 257-9303.

(45) *Laboratory*: Harmon Engineering Associates, Inc. (NIST).

Address: 1550 Pumphrey Ave., Auburn, AL 36830-4399, Contact: Roger Thompson, Phone: (205) 821-9250.

(46) *Laboratory*: Health & Hygiene, Inc. (NIST).

Address: 4605-E Dundas Dr., Greensboro, NC 27407, Contact: Sharon P. Lonon, Phone: (919) 854-2303.

(47) *Laboratory*: Hillmann Environmental Co. of Florida (NIST).

Address: 12108 N. 56th St., Tampa, FL 33617, Contact: Mary Hillmann, Phone: (813) 988-1652.

(48) *Laboratory*: Hunter Services, Inc. (NIST).

Address: 14220 W. Newberry Rd., P.O. Box ESE, Gainesville, FL 32607-1703, Contact: Barbara Ross, Phone: (904) 332-3318.

(49) *Laboratory*: International Abatement Management, Inc. (NIST).

Address: 550 North Reo St., Suite 300, Tampa, FL 33609, Contact: Robert B. Greene, Phone: (813) 287-5100.

(50) *Laboratory*: KNL Laboratory Services (NIST).

Address: P.O. Box 1833, Tampa, FL 33601, Contact: Garrett J. McGibbon, Phone: (813) 229-2879.

(51) *Laboratory*: Larron Laboratory (NIST).

Address: 711 Broadway, Mayfield, KY 42066, Contact: Daniel Roth, Phone: (502) 247-6982.

(52) *Laboratory*: Law Associates, Inc. (NIST).

Address: 114 Town Park Dr., Kennesaw, GA 30144, Contact: Greg Lewars, Phone: (404) 499-8600.

(53) *Laboratory*: Law Engineering (NIST).

Address: 4919 West Laurel St., P.O. Box 24183, Tampa, FL 33623, Contact: Monte Hall, Phone: (813) 879-0750.

(54) *Laboratory*: Law Engineering Testing Co. (NIST).

Address: 501 Minuet Ln., P.O. Box 11297, Charlotte, NC 28220, Contact: R. Glenn Craig, Phone: (704) 523-2022.

(55) *Laboratory*: Law Engineering, Inc. (NIST).

Address: 3608 7th Ct., S., P.O. Box 10244, Birmingham, AL 35202, Contact: R. Michael Hamilton, Phone: (205) 252-9901.

(56) *Laboratory:* Materials Analytical Services, Inc. (NIST).

Address: 3597 Parkway Ln., Suite 250, Norcross, GA 30092, Contact: William Longo, Phone: (404) 448-9030.

(57) *Laboratory:* McCrone Environmental Services, Inc. (NIST).

Address: 1412 Oakbrook Dr., Suite 100, Norcross, GA 30093, Contact: Harriette A. Hurley, Phone: (404) 368-9600.

(58) *Laboratory:* Metro Services Laboratory (NIST), Asbestos Control Division.

Address: 6309 Fern Valley Pass, Louisville, KY 40228, Contact: Zonetta English, Phone: (502) 964-0365.

(59) *Laboratory:* Micro Analytical Laboratories, Inc. (NIST).

Address: 3618 Northwest 97th Blvd., Gainesville, FL 32606, Contact: Nancy Dehgan, Phone: (904) 332-1701.

(60) *Laboratory:* Micro-methods, Inc. (NIST).

Address: 6500 Sunplex, Ocean Springs, MS 39564, Contact: Thomas J. Wilson, Phone: (601) 875-6420.

(61) *Laboratory:* NSI-ES Analytical Svcs. Lab (NIST).

Address: 2 Triangle Dr., P.O. Box 12313, RTP, NC 27709-2313, Contact: James A. Jahnke, Phone: (919) 549-0611.

(62) *Laboratory:* PSC Environmental, Inc. (NIST).

Address: 1105 Fitzpatrick Ave., P.O. Box 2605, Opelika, AL 36803-2605, Contact: Fred Moore, Phone: (205) 749-2636.

(63) *Laboratory:* Pace Laboratories, Inc. (NIST).

Address: 5460 Esauumont Center Blvd., Tampa, FL 33634, Contact: Timothy M. Odell, Phone: (813) 884-8268.

(64) *Laboratory:* Pensacola P.O.C., Inc. (NIST).

Address: 109 South 2nd St., Pensacola, FL 32507, Contact: Barbara Svinglin, Phone: (904) 456-4406.

(65) *Laboratory:* Phoenix Environmental Labs (NIST), Division of P.D.R. Engineers, Inc.

Address: 2000 Lindell Ave., Nashville, TN 37203, Contact: Teresa Tichenor, Phone: (615) 298-2065.

(66) *Laboratory:* Pioneer Laboratory, Inc. (NIST).

Address: 11 East Olive Rd., Pensacola, FL 32514, Contact: Paul Canevaro, Phone: (904) 474-1001.

(67) *Laboratory:* Professional Service Ind., Inc. (NIST), PTL/Arribas Division.

Address: 3901 Northwest 29th Ave., Miami, FL 33142, Contact: Mary E. Hamel, Phone: (305) 633-7555.

(68) *Laboratory:* Quality Analytical Services, Inc. (NIST).

Address: 708 West Johnson St., Raleigh, NC 27603, Contact: Eloise Sheets, Phone: (919) 839-0757.

(69) *Laboratory:* Roberts Environmental Services (NIST), MAKO Office Complex.

Address: Highway 24 E., Swansboro, NC 28584, Contact: H. Dan Roberts, Phone: (919) 393-6565.

(70) *Laboratory:* Safety Underwriters Laboratory (NIST).

Address: P.O. Box 20094, Birmingham, AL 35216, Contact: Rebecca Hicks, Phone: (205) 822-3727.

(71) *Laboratory:* Schneider Services International, Inc. (NIST).

Address: Chem Lab MS-340, Arnold AFB, TN 37389, Contact: Jim Thomas, Phone: (615) 454-6573.

(72) *Laboratory:* Schweiger and Associates (NIST).

Address: 2022 Powers Ferry Rd., Suite 180, 4M, Marietta, GA 30339, Contact: Patrick J. Schweiger, Phone: (404) 938-9250.

(73) *Laboratory:* South Carolina Dept. of Health & Environmental Control (NIST), Bureau of Labs.

Address: 8231 Parklane Rd., P.O. Box 2202, Columbia, SC 29202, Contact: Edward Williams, Phone: (803) 737-7003.

(74) *Laboratory:* Southeastern Marine Chemists, Inc. (NIST), Southeastern Chemists' Laboratories.

Address: P.O. Box 8917, Jacksonville, FL 32211, Contact: Joseph W. Newton, Phone: (904) 725-2040.

(75) *Laboratory:* Specialized Assays (NIST).

Address: 210 12th Ave., S., P.O. Box 25110, Nashville, TN 37202, Contact: Kay Williams-Smith, Phone: (615) 255-5786.

(76) *Laboratory:* TEI Environmental, Inc. (NIST).

Address: 308A Pomona Dr., Greensboro, NC 27407, Contact: James Buchanan, Phone: (919) 852-0318.

(77) *Laboratory:* TTL, Inc. (NIST).

Address: 3516 Greensboro Ave., P.O. Box 1128, Tuscaloosa, AL 35403, Contact: Jack E. Davis, Phone: (205) 345-0816.

(78) *Laboratory:* Testwell Craig Laboratories of Florida, Inc. (NIST).

Address: 7104 Northwest 51st St., Miami, FL 33166, Contact: Robert Schuler, Phone: (305) 593-0561.

(79) *Laboratory:* Thornton Laboratories, Inc. (NIST).

Address: 1145 East Cass St., Tampa, FL 33602, Contact: Steve Fickett, Phone: (813) 223-9702.

(80) *Laboratory:* Westinghouse Environmental & Geotechnical Svcs. Inc. (NIST).

Address: 3980 Dekalb Technology Pkwy., Suite 700, Atlanta, GA 30340, Contact: Clint Gilbert, Phone: (404) 452-1911.

(81) *Laboratory:* Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 5909 Breckenridge Pkwy., Suite B, Tampa, FL 33610, Contact: John J. Henderson, Phone: (813) 623-2438.

(82) *Laboratory:* Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 9800-D Southern Pines Blvd., P.O. Box 7668, Charlotte, NC 28217, Contact: Terry Liles, Phone: (704) 523-8910.

(83) *Laboratory:* Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 840 Low Country Blvd., Mt. Pleasant, SC 29464, Contact: Nina G. Marshstein, Phone: (803) 884-0005.

(84) *Laboratory:* Weston-ATC Mobile Facility (NIST).

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Keith Pass, Phone: (205) 826-6100.

(85) *Laboratory:* Weston-ATC, Inc. (NIST).

Address: 1635 Pumphrey Ave., Auburn, AL 36830-4303, Contact: William Barker, Phone: (205) 826-6100.

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REGION V—Chicago, IL

Regional Asbestos Coordinator: Anthony Restaino, EPA, Region V, 230 S. Dearborn St., [5-SPT-7], Chicago, IL 60604. [312] 886-6003, [FTS] 886-6003.

(1) *Laboratory:* ABS Environmental Labs, Inc. (NIST).

Address: 605 Brookside, Frankfurt, IL 60423, Contact: Arlene B. Smith, Phone: (815) 469-4464.

(2) *Laboratory:* AIRsearch (NIST).

Address: 2969 N. 114th St., Wauwatosa, WI 53222, Contact: James Walsh, Phone: (414) 476-1030.

(3) *Laboratory:* ALEX (NIST).

Address: 485 Frontage Rd., Burr Ridge, IL 60521, Contact: Linda Orr, Phone: [312] 789-6080.

(4) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 1501 East Main St., Griffith, IN 46319, Contact: Roger S. Berkowitz, Phone: (219) 924-6690.

(5) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 5150 East 65th St., Indianapolis, IN 46220-4871, Contact: Richard A. Gehlbach, Phone: (317) 849-4990.

(6) *Laboratory*: Affiliated Environmental Services, Inc. (NIST).

Address: 3606 Venice Rd., Sandusky, OH 44870, Contact: Jack Dauch, Phone: (419) 627-1976.

(7) *Laboratory*: Air Quality Testing (NIST).

Address: 236 South Washington St., Naperville, IL 60540, Contact: J.D. Stubblefield, Phone: (312) 983-4010.

(8) *Laboratory*: Air Quality Testing, Inc. (NIST).

Address: 1630 Fifth Ave., Suite 541, Moline, IL 61265, Contact: Gerald Hofferth, Phone: (309) 762-1998.

(9) *Laboratory*: AirTech Associates, Inc. (NIST).

Address: 4100 Madison, Lower Level, Suite 4, Hillside, IL 60162, Contact: Mark Watka or Anne Czechorski, Phone: (312) 547-8117.

(10) *Laboratory*: Aires Environmental Services (NIST).

Address: 1550 Hubbard, Batavia, IL 60510, Contact: Cynthia Darling, Phone: (312) 879-3006.

(11) *Laboratory*: Alderink & Associates, Inc. (NIST).

Address: 3221 3 Mile Rd., Grand Rapids, MI 49504, Contact: Carol J. Paxhia, Phone: (616) 791-0730.

(12) *Laboratory*: Allied Enviro Engineering, Inc. (NIST).

Address: 18316 Middlebelt Rd., Livonia, MI 48152, Contact: William O'Brien, Phone: (313) 476-1068.

(13) *Laboratory*: Alloway Testing (NIST).

Address: 1325 North Cole St., Lima, OH 45801-3415, Contact: John R. Hoffman, Phone: (419) 223-1362.

(14) *Laboratory*: American Analytical Laboratories (NIST).

Address: 100 Lincoln St., Akron, OH 44308, Contact: Richard E. Moore, Phone: (216) 535-1300.

(15) *Laboratory*: Amoco Oil Co.-Whiting Refinery (NIST), Lab. Services Division.

Address: 2831 Indianapolis Blvd., Whiting, IN 46394, Contact: James Miller, Phone: (219) 473-3075.

(16) *Laboratory*: Anasbestos Co. (NIST).

Address: 7206 West 90th Pl., Bridgeview, IL 60455, Contact: Gary Kentgen, Phone: (312) 598-2921.

(17) *Laboratory*: Applied Environmental Sciences, Inc. (NIST).

Address: 511 11th Ave. S, Box 220, Minneapolis, MN 55415, Contact: Patrick DiBartolomeo, Phone: (612) 339-5559.

(18) *Laboratory*: Asbestos Compliance Technology, Inc. (NIST).

Address: 4015 Cherry St., Cincinnati, OH 45223, Contact: Tina Schmalz, Phone: (513) 741-1331.

(19) *Laboratory*: Asbestos Control Methods, Inc. (NIST).

Address: 2010 South Carboy Rd., Mount Prospect, IL 60056, Contact: Jeffrey Camplin, Phone: (312) 437-7999.

(20) *Laboratory*: Asbestos Management, Inc. (NIST).

Address: 36700 South Huron St., Suite 104, New Boston, MI 48164, Contact: D. Rex Bleeker, Phone: (313) 961-6135.

(21) *Laboratory*: Asbestos Technology, Inc. (NIST).

Address: 5353 Tacoma Ave., Indianapolis, IN 46220, Contact: Dawn Trigg, Phone: (317) 257-5096.

(22) *Laboratory*: BCA Laboratory (NIST).

Address: 1102 South Main, Bloomington, IL 61701, Contact: Kurt Benckendorf, Phone: (309) 828-7772.

(23) *Laboratory*: BDN Industrial Hygiene Consultants, Inc. (NIST).

Address: 8105 Valleywood Lane, Portage, MI 49002, Contact: Zigfrid Thomas, Phone: (616) 329-1237.

(24) *Laboratory*: Badger Laboratories & Engineering Co., Inc. (NIST).

Address: 1110 South Oneida St., Appleton, WI 54915, Contact: Stephen Taylor, Phone: (414) 739-9313.

(25) *Laboratory*: Beling Consultants, Inc. (NIST).

Address: 1001-16th St., Moline, IL 61265, Contact: Jeffrey A. Wasson, Phone: (309) 757-9800.

(26) *Laboratory*: Braun Environmental Laboratories (NIST).

Address: 6800 South Country Rd. 18, P.O. Box 35108, Minneapolis, MN 55435-0108, Contact: Lisa A. Fournelle-Smestad, Phone: (612) 941-5600.

(27) *Laboratory*: Bristol-Myers USPNG, Mail 45.

Address: 2404 W. Pennsylvania Ave., Evansville, IN 47721, Contact: John Tilley, Phone: (812) 429-7892.

(28) *Laboratory*: Bruce Menkel & Associates, Inc. (NIST).

Address: 235 Industrial Dr., P.O. Box 159, Franklin, OH 45005, Contact: Bruce Menkel, Phone: (513) 746-9300.

(29) *Laboratory*: C.G. Technologies, Inc. (NIST).

Address: 535 Science Dr., Suite B, Madison, WI 53711, Contact: Carol Gannon, Phone: (608) 238-7811.

(30) *Laboratory*: CENCON (CNA Insurance) (NIST).

Address: 333 South Wabash—3W, Chicago, IL 60604, Contact: Ellen Janka, Phone: (312) 822-6093.

(31) *Laboratory*: Carnow, Conibear and Associates, Ltd. (NIST).

Address: 333 West Wacker Dr., 14th Fl., Chicago, IL 60606, Contact: Steve Wolf, Phone: (312) 782-4486.

(32) *Laboratory*: Chem-Bio Corporation (NIST).

Address: 140 East Ryan Rd., Oak Creek, WI 53154, Contact: Kaye Donlevy, Phone: (414) 764-7005.

(33) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).

Address: 22345 Roethel Dr., Novi, MI 48050, Contact: Bob Lieckfield, Phone: (313) 344-1770.

(34) *Laboratory*: Cole Associates, Inc. (NIST).

Address: 2211 East Jefferson Blvd., South Bend, IN 46615, Contact: Lawrence W. Grauvogel, Phone: (219) 236-4400.

(35) *Laboratory*: Daily Analytical Laboratories (NIST).

Address: 1621 West Candletree Dr., Peoria, IL 61614, Contact: Susan J. Naschert, Phone: (309) 692-5252.

(36) *Laboratory*: DataChem, Inc. (NIST).

Address: 4388 Glendale-Milford Rd., Cincinnati, OH 45242, Contact: Lance Eggenberger, Phone: (513) 733-5336.

(37) *Laboratory*: DeLisle Consulting & Laboratories, Inc. (NIST).

Address: 6946 East North Ave., Kalamazoo, MI 49001, Contact: Brad Shook, Phone: (616) 343-9698.

(38) *Laboratory*: DeYor Laboratories, Inc. (NIST).

Address: P.O. Box 3949, 7655 Market St., Suite 2500, Youngstown, OH 44512, Contact: Joseph K. Samuels, Phone: (216) 758-5788.

(39) *Laboratory*: EIS Environmental Engineers, Inc. (NIST).

Address: 1701 North Ironwood Dr., South Bend, IN 46635, Contact: H. Stephen Nye, Phone: (219) 277-5715.

(40) *Laboratory*: ENTELA Engineering Services, Inc. (NIST).

Address: 4020 West River Dr., Comstock Park, MI 49321, Contact: Cal Van Ooyen, Phone: (616) 794-7774.

(41) *Laboratory*: ERT Testing Services, Inc. (NIST).

Address: D.O.H. Professional Bldg., 211 Glendale, Suite 425, Highland Park, MI 48203, Contact: Rose M. Grier, Phone: (313) 865-0600.

(42) *Laboratory*: Electro Analytical, Inc. (NIST).

Address: 7118 Industrial Park Blvd., Mentor, OH 44060-5377, Contact: Mitchell E. Fadem, Phone: (216) 951-3514.

(43) *Laboratory*: Environmental Analytical Labs (NIST).

Address: 314 South State Ave., Indianapolis, IN 46201, Contact: David W. Hogue, Phone: (317) 269-3618.

(44) *Laboratory*: Environmental Consultants, Inc. (NIST).

Address: 1916 North 12th St., P.O. Box 2104, Toledo, OH 43603, Contact: Donald Dick, Phone: (419) 241-7127.

(45) *Laboratory*: Environmental Enterprises, Inc. (NIST).

Address: 10147 Springfield Pike, Cincinnati, OH 45215, Contact: Wayne L. Collier, Phone: (513) 772-2818.

(46) *Laboratory*: Environmental Evaluation & Laboratory Services, Inc. (NIST).

Address: 225 Parsons St., P.O. Box 1665, Kalamazoo, MI 49005, Contact: A. Clark Kahn, III, Phone: (616) 388-8099.

(47) *Laboratory*: Environmental Services, Inc. (NIST).

Address: 1403 Sunset Ter., P.O. Box 385, Western Springs, IL 60558, Contact: Hugh Flack, Phone: (312) 246-2040.

(48) *Laboratory*: Esstek, Inc. (NIST).

Address: 17960 Englewood Dr., Middleburg Heights, OH 44130, Contact: Scott F. Linville, Phone: (216) 828-4220.

(49) *Laboratory*: Fay Goldblatt Laboratories, Inc. (NIST).

Address: 5225 Old Orchard Rd., Suite 2, Skokie, IL 60077, Contact: Fay Goldblatt, Phone: (708) 965-6333.

(50) *Laboratory*: Gabriel Laboratories, Inc. (NIST).

Address: 1421 North Elston Ave., Chicago, IL 60622, Contact: Chris Rollins, Phone: (312) 486-2123.

(51) *Laboratory*: Gelles Laboratories (NIST).

Address: 2836 Fisher Rd., Columbus, OH 43204, Contact: S.H. Gelles, Phone: (614) 276-2957.

(52) *Laboratory*: General Motors Industrial Hygiene (NIST).

Address: 3-229 RAB, GM Tech. Center, Warren, MI 48090, Contact: Marlaine Cermak, Phone: (313) 986-1051.

(53) *Laboratory*: Hayden Environmental Group, Inc. (NIST).

Address: 6015 Manning Rd., Miamisburg, OH 45342, Contact: David Robinson, Phone: (513) 866-5908.

(54) *Laboratory*: Hazardous Materials Management, Inc. (NIST).

Address: 2517 Seiferth Rd, Madison, WI 53704, Contact: Jonathan Patlak, Phone: (608) 221-4027.

(55) *Laboratory*: IHI Kemron Environmental Services (NIST).

Address: 32740 North Western Hwy., Farmington Hills, MI 48018, Contact: Charles O'Bryan, Phone: (313) 626-2426.

(56) *Laboratory*: ITI Research Institute (NIST).

Address: 10 West 35th St., Chicago, IL 60616, Contact: Jean Graf-Teteryoz, Phone: (312) 567-4286.

(57) *Laboratory*: ITL/Bascor (NIST).

Address: 5960 North Milwaukee Ave., Chicago, IL 60648, Contact: Joby H. Burman, Phone: (312) 792-2454.

(58) *Laboratory*: Industrial Environmental Consultants (NIST).

Address: 1760 East Grand River, East Lansing, MI 48823, Contact: Teresa Kenyon, Phone: (517) 351-4002.

(59) *Laboratory*: Institute for Environmental Assessment (NIST).

Address: 2829 Verndale Ave., Anoka, MN 55303, Contact: Richard T. Cox, Phone: (612) 427-5310.

(60) *Laboratory*: John Mathes & Assoc., Inc. (NIST).

Address: 210 West Sand Bank Rd., P.O. Box 330, Columbia, IL 62236-0330, Contact: David H. Ward, Phone: (618) 281-7173.

(61) *Laboratory*: Lyle Laboratories (NIST).

Address: 41 South Grant Ave., Columbus, OH 43215, Contact: Tom Eggers, Phone: (614) 224-8822.

(62) *Laboratory*: MacDonald Research Group, Inc. (NIST).

Address: 1441 N. Mayfair Rd., Milwaukee, WI 53226, Contact: Hector MacDonald, Phone: (414) 771-7151.

(63) *Laboratory*: Martin Marietta Energy Systems, Inc. (NIST).

Address: Portsmouth Gaseous Diffusion Plant, P.O. Box 628, Piketon, OH 45661, Contact: David Boyd, Phone: (614) 289-2331.

(64) *Laboratory*: Materials Testing Consultants, Inc. (NIST).

Address: 693 Plymouth NE, Grand Rapids, MI 49505, Contact: Judson Sorenson, Phone: (616) 456-5469.

(65) *Laboratory*: Micro Air, Inc. (NIST).

Address: 7132 Lakeview Pkwy. West Dr., Indianapolis, IN 46268, Contact: Harold Eitzen, Phone: (317) 293-1533.

(66) *Laboratory*: Micro Air, Inc. (NIST) (Mobile).

Address: 7132 Lakeview Pkwy. West Dr., Indianapolis, IN 46268, Contact: Harold Eitzen, Phone: (317) 293-1533.

(67) *Laboratory*: Micro-Fiber Laboratories, Inc. (NIST).

Address: 605 Landwehr Rd., Northbrook, IL 60062, Contact: Phillip G. Pekron, Phone: (312) 498-4127.

(68) *Laboratory*: MicroView Consulting (NIST).

Address: 416 East Catawba Ave., Akron, OH 44301, Contact: Frank S. Karl, Phone: (216) 773-8330.

(69) *Laboratory*: Monarch Analytical Laboratories, Inc. (NIST).

Address: P.O. Box 2990, Toledo, OH 43606, Contact: Ronald J. Plenzler, Phone: (419) 535-1780.

(70) *Laboratory*: NATLSCO (NIST).

Address: Rte. 22 & Kemper Dr., K-2, Long Grove, IL 60049, Contact: Joan Wronski, Phone: (312) 540-2488.

(71) *Laboratory*: Northland Environmental Services, Inc. (NIST).

Address: P.O. Box 909, Stevens Point, WI 54481, Contact: Robert C. Voborsky, Phone: (715) 341-9699.

(72) *Laboratory*: Nova Environmental Services, Inc. (NIST).

Address: 1107 Hazeltine Blvd., Suite 420, Hazeltine Gates, Chaska, MN 55318, Contact: Elizabeth Gardner, Phone: (612) 448-8888.

(73) *Laboratory*: Ohio Department of Health (NIST), Division of Laboratories.

Address: 1571 Perry St., Box 2568, Columbus, OH 43266-0068, Contact: Gary Davidson, Phone: (614) 421-1078.

(74) *Laboratory*: P.A.T. Services (NIST).

Address: 133 Hollywood, Creve Coeur, IL 61611, Contact: Cheryl McGuinnis, Phone: (309) 698-0703.

(75) *Laboratory*: PEI Associates, Inc. (NIST).

Address: 11499 Chester Rd., Cincinnati, OH 45246, Contact: Craig Caldwell, Phone: (513) 782-4700.

(76) *Laboratory*: Pace Laboratories, Inc. (NIST).

Address: 1710 Douglas Dr., N., Minneapolis, MN 55422, Contact: Roger Splinter, Phone: (612) 544-5543.

(77) *Laboratory*: Parkland Labs (NIST).

Address: 2935 ClearLake Ave.,
Springfield, IL 62702, Contact: Harry
Stowers, Phone: (217) 525-2935.

(78) *Laboratory:* Particle Data
Laboratories, Ltd. (NIST).

Address: 115 Hahn St., Elmhurst, IL
60126, Contact: Ron Sturm, Phone:
(312) 832-5658.

(79) *Laboratory:* Pro-Ac Asbestos
Services (NIST).

Address: 8711 Reading Rd., Cincinnati,
OH 45215, Contact: Fred Schmalz,
Phone: (513) 821-0505.

(80) *Laboratory:* RCM Laboratories
(NIST).

Address: 4137 Blanchan, Brookfield, IL
60513, Contact: Collen Rifke, Phone:
(312) 485-8600.

(81) *Laboratory:* Randolph &
Associates, Inc. (NIST).

Address: 5440 North Cumberland Ave.,
Suite 111, Chicago, IL 60656, Contact:
Bruce Stockmeier, Phone: (312) 693-
6030.

(82) *Laboratory:* Randolph &
Associates, Inc. (NIST).

Address: 8901 North Industrial Rd.,
Peoria, IL 61615, Contact: Ellen Zuck,
Phone: (309) 692-4160.

(83) *Laboratory:* Reed City Hospital
(NIST).

Address: 7665 Patterson Rd., P.O. Box
75, Reed City, MI 49677, Contact:
James T. Reardon, Phone: (616) 832-
3271.

(84) *Laboratory:* Ricerca, Inc. (NIST).

Address: 7528 Auburn Rd, P.O. Box 1000,
Painesville, OH 44077-1000, Contact:
William O. Butler, Phone: (216) 357-
3300.

(85) *Laboratory:* S.E.A., Inc. (NIST).

Address: 7349 Worthington-Galena Rd.,
Columbus, OH 43085, Contact: Jami J.
St. Clair, Phone: (614) 888-4160.

(86) *Laboratory:* SIECO Asbestos
Laboratory (NIST).

Address: 629 Washington St., Columbus,
IN 47201, Contact: James McNulty,
Phone: (812) 372-9911.

(87) *Laboratory:* Sea Earth & Air
Environmental Consultants, Inc. (NIST).

Address: 5787 North Lincoln Ave.,
Chicago, IL 60659, Contact: Barbera
Carr, Phone: (312) 878-8337.

(88) *Laboratory:* Seaway
Environmental Labs (NIST).

Address: 542 Conkey St., Hammond, IN
46324, Contact: Karen A. Erny, Phone:
(219) 932-1770.

(89) *Laboratory:* Sierra Analytical &
Consulting Services, Inc. (NIST).

Address: 307 N. 1st St., Ann Arbor, MI
48103, Contact: Dave Nelson, Phone:
(313) 662-1155.

(90) *Laboratory:* Stat Analysis
Corporation (NIST).

Address: 2201 West Campbell Park Dr.,
Chicago, IL 60612-3501, Contact:
David E. Schwartz, Phone: (312) 733-
0551.

(91) *Laboratory:* Stilson Laboratories,
Inc. (NIST).

Address: 170 North High St., Columbus,
OH 43215, Contact: W. Martin Bell,
Phone: (614) 228-4385.

(92) *Laboratory:* Suburban
Environmental Consultants, Ltd. (NIST).

Address: 18031 Dixie Hwy., Homewood,
IL 60430, Contact: Henry G. Gooday,
Jr., Phone: (312) 335-1808.

(93) *Laboratory:* TEM, Inc. (NIST).

Address: 443 Duane St., Glen Ellyn, IL
60137, Contact: James Tuinenga,
Phone: (312) 790-0880.

(94) *Laboratory:* Testing Engineers &
Consultants, Inc. (NIST).

Address: 933 West Jolly Rd., Lansing, MI
48909, Contact: James Hollenbeck,
Phone: (517) 887-0628.

(95) *Laboratory:* Testing Engineers &
Consultants, Inc. (NIST).

Address: 3816 Carpenter Rd., Pittsfield
Township, MI 48197, Contact: Dawn
Brennan, Phone: (313) 971-0030.

(96) *Laboratory:* Testing Engineers
and Consultants, Inc. (NIST).

Address: P.O. Box 249, 1333 Rochester
Rd., Troy, MI 48099, Contact: Matthew
Skeels, Phone: (313) 588-6200.

(97) *Laboratory:* Thermo Analytical,
Inc. (NIST).

Address: 7314 West 90th St., Bridgeview,
IL 60455, Contact: Frank P. DeFranza,
Phone: (312) 430-1112.

(98) *Laboratory:* Thermo Analytical,
Inc./ERG (NIST).

Address: 525 Avis Dr., Suite 7, Ann
Arbor, MI 48108, Contact: Fred
Fenner, Phone: (313) 662-3104.

(99) *Laboratory:* Toledo City.

Address: 26 Main St., Toledo, OH 43605,
Contact: Richard K. Uscilowski,
Phone: (419) 693-0350.

(100) *Laboratory:* Tremco (NIST).

Address: 10701 Shaker Blvd., Cleveland,
OH 44104, Contact: Charles J. Kalocz1,
Phone: (216) 292-5000.

(101) *Laboratory:* Tri-State
Laboratories, Dept. of Environmental
Services (NIST).

Address: 19 East Front St., Youngstown,
OH 44503, Contact: Bari Lateef, Phone:
(216) 746-8800.

(102) *Laboratory:* Twin City Testing
Corporation (NIST).

Address: 662 Cromwell Ave., St. Paul,
MN 55114, Contact: Rennie Smith,
Phone: (612) 649-5000.

(103) *Laboratory:* United Analytical
Services, Inc. (NIST).

Address: 4410 West Roosevelt Rd., Suite
101, Hillside, IL 60162, Contact:
Patrick Fosnacht, Phone: (312) 449-
0070.

(104) *Laboratory:* Wadsworth/Alert
Laboratories (NIST).

Address: P.O. Box 31454, Cleveland, OH
44131, Contact: Dale Mori, Phone:
(216) 642-9151.

(105) *Laboratory:* Walker & Ward
(NIST).

Address: 2803 B N. St. Joseph Ave.,
Evansville, IN 47712, Contact: Roger
Ward, Phone: (812) 421-1900.

(106) *Laboratory:* Wausau Insurance
Companies, Environmental Health
Laboratory (NIST).

Address: 2000 Westwood Dr., Wausau,
WI 54401, Contact: Thomas Stavros,
Phone: (715) 842-6810.

(107) *Laboratory:* Wisconsin
Occupational Health Labs (NIST).

Address: 979 Jonathon Dr., Madison, WI
53713, Contact: Richard Zimmerman,
Phone: (608) 263-8807.

(108) *Laboratory:* Zimmerlin
Consulting Group (NIST).

Address: 3420 East 96th St., Suite A,
Indianapolis, IN 46240, Contact:
Daniel J. Smith, Phone: (317) 574-0848.

(109) *Laboratory:* Zimmerlin
Consulting Group (NIST).

Address: 3082 Brown Park Dr., Suite D,
P.O. Box 357, Hilliard, OH 43026-0357,
Contact: William Zimmerlin, Phone:
(614) 876-1153.

EPA Accredited Commercial PLM
Laboratories

REGION VI—Dallas, TX

Regional Asbestos Coordinator: John
West, 6T-PT, EPA, Region VI, 1445 Ross
Avenue, Dallas, TX 75202-2733. (214)
655-7244, (FTS) 255-7244.

(1) *Laboratory:* A & B Environmental
Service, Inc.

Address: 15371 Woodfoust Blvd.,
Charnelview, TX 77530, Contact: Ram
Ramakrishnan, Phone: (713) 457-6608.

(2) *Laboratory:* ACI & Associates
(NIST).

Address: 2100 Road to Six Flags E.,
Arlington, TX 76011, Contact: Dan
Weeks, Phone: (817) 282-9929.

(3) *Laboratory:* ATEC Associates, Inc.
(NIST).

Address: 11356 Mathis Ave., Dallas, TX
75299-3157, Contact: Jim Hutchins,
Phone: (214) 243-8931.

(4) *Laboratory:* Accumin Analysis,
Inc. (NIST).

Address: 323 Hollyvale Dr., Houston, TX 77060, Contact: William McHale, Phone: (713) 931-1131.

(5) *Laboratory*: Aegis Associates—El Paso (NIST).

Address: 1280 Hawkins, Suite 120, El Paso, TX 79925, Contact: Michael Fernandez, Phone: (915) 592-6556.

(6) *Laboratory*: Aegis Associates, Inc. (NIST).

Address: 12015 Park 35 Circle, Suite 125, Austin, TX 78753-1807, Contact: Jimmie Bolton, Phone: (512) 835-8052.

(7) *Laboratory*: Aer-Aqua Lab, Inc./ Accredited Industrial Hygienists, Inc. (NIST).

Address: 211 E. Shaw, Pasadena, TX 77506, Contact: Mary Heusel, Phone: (713) 477-8101.

(8) *Laboratory*: Allied Enviro Engineering Inc. (NIST).

Address: 1450 Empire Central, Suite 116, Dallas, TX 75247, Contact: Thomas Palet, Phone: (214) 631-0862.

(9) *Laboratory*: Arkansas Department of Health (NIST).

Address: 4815 West Markham St., Little Rock, AR 72205, Contact: Stan Faulk, Phone: (501) 661-2389.

(10) *Laboratory*: Assaigai Analytical Laboratories (NIST).

Address: 7300 Jefferson, NE, Albuquerque, NM 87109, Contact: Dean Dupree, Phone: (505) 345-8964.

(11) *Laboratory*: Building Environmental Systems, Inc. (NIST).

Address: 3501 North MacArthur, Suite 400B, Irving, TX 75062, Contact: Amy L. Smith, Phone: (214) 257-0787.

(12) *Laboratory*: Cantech, Inc. (NIST).

Address: 9001 Airport Boulevard, Suite 105, Houston, TX 77061, Contact: Brain Akins, Phone: (713) 486-5729.

(13) *Laboratory*: Central Analytical Laboratories, Inc. (NIST).

Address: 2600 Marietta Ave., Kenner, LA 70062, Contact: David R. Lasater, Phone: (504) 469-3511.

(14) *Laboratory*: Chemtex Environmental Laboratory (NIST).

Address: 3082 25th Street, Port Arthur, TX 77642, Contact: C.N. Reddy, Phone: (409) 983-4575.

(15) *Laboratory*: Conoco Analytical Labs (NIST).

Address: 1000 South Pine, Ponca City, OK 74603, Contact: Gary Keen, Phone: (405) 767-2468.

(16) *Laboratory*: Core Labs (NIST).

Address: 2417 West Pinhook Rd., Lafayette, LA 70508-3344, Contact: Richard Tietz, Phone: (318) 232-8042.

(17) *Laboratory*: Diversified Environmental Technologies, Inc. (NIST).

Address: 132 West Main, Norman, OK 73069, Contact: Dan Tutt, Phone: (405) 360-7929.

(18) *Laboratory*: EEG, Inc. (NIST).

Address: 1305 E. Main, Russellville, AR 72801, Contact: Anne Woker, Phone: (501) 968-6767.

(19) *Laboratory*: ENSR Consulting & Engineering (NIST).

Address: 2925 Richmond Ave., Houston, TX 77098, Contact: Sandy Bialas, Phone: (713) 520-1495.

(20) *Laboratory*: East Texas Testing Laboratory, Inc. (NIST).

Address: 1717 East Erwin, Tyler, TX 75702, Contact: Gary G. LaFrance, Phone: (214) 595-4421.

(21) *Laboratory*: Environmental Analysis, Inc. (NIST).

Address: 914 Barber Street, Little Rock, AR 72202, Contact: Phillip Young, Phone: (501) 374-7837.

(22) *Laboratory*: Environmental Consultants, Inc. (NIST).

Address: P.O. Box 17867, Shreveport, LA 71138-0867, Contact: ArkLa Tex, Phone: (318) 687-3771.

(23) *Laboratory*: Environmental Monitoring Service, Inc. (NIST).

Address: 12731 Research Blvd., Bldg. A, Austin, TX 78759, Contact: Rick Pruet, Phone: (512) 335-9116.

(24) *Laboratory*: Environmental Monitoring Service, Inc. (NIST).

Address: 342 Twin City Hwy., Port Neches, TX 77651, Contact: Don Duplechian, Phone: (409) 727-7778.

(25) *Laboratory*: Environmental Research Institute, Inc. (NIST).

Address: P.O. Box 2024, Tyler, TX 75710, Contact: Thomas R. McKee, Phone: (214) 877-9314.

(26) *Laboratory*: Environmental Services Co., Inc. (NIST).

Address: 13715 West Markham, Little Rock, AR 72211, Contact: James Brown, Phone: (501) 221-2565.

(27) *Laboratory*: Envirotech, Inc. (NIST).

Address: P.O. Box 42812-414, Houston, TX 77042, Contact: Daniel J. Gerhardt, Phone: (713) 782-4101.

(28) *Laboratory*: Geo-Environmental Services, Inc. (NIST), Austin Office.

Address: 7801 North Lamar, Suite 185E, Austin, TX 78752, Contact: John Johnson, Phone: (512) 454-5222.

(29) *Laboratory*: Hanby Analytical Laboratories, Inc. (NIST).

Address: 4400 South Wayside 107, Houston, TX 77087, Contact: Duane Salinas, Phone: (713) 649-4500.

(30) *Laboratory*: Hanby Analytical Laboratories, Inc./ Mobile Unit (NIST).

Address: 4400 South Wayside St., Suite 107, Houston, TX 77087, Contact: John D. Hanby, Phone: (713) 649-4500.

(31) *Laboratory*: Huey, Martin, & Associates (NIST).

Address: 5613 Bruyninckx Rd., Alexandria, LA 71303, Contact: Ben F. Martin, Phone: (318) 473-6446.

(32) *Laboratory*: IHST (NIST).

Address: 17480 Dallas Pkwy., Suite 111, Dallas, TX 75287, Contact: Tracy Bramlett, Phone: (214) 248-9110.

(33) *Laboratory*: Kemron Environmental Services (NIST).

Address: 16550 Highland Rd., Baton Rouge, LA 70810, Contact: Thomas Bauckham, Phone: (504) 293-8650.

(34) *Laboratory*: Kiser Engineering, Inc. (NIST).

Address: 211 North River St., Seguin, TX 78155, Contact: Rick Kirkpatrick, Phone: (800) 426-2102.

(35) *Laboratory*: Law Engineering Testing Co. (NIST).

Address: 5500 Guhn Rd., Houston, TX 77040, Contact: C. H. Byrd, Phone: (713) 939-7161.

(36) *Laboratory*: Marshall Environmental Management (NIST).

Address: 3801 Northwest 63rd St., Suite 162, Oklahoma City, OK 73116, Contact: Charles L. Marshall, Phone: (405) 842-3415.

(37) *Laboratory*: Maxim Engineers, Inc. (NIST).

Address: 11601 North Lamar, Austin, TX 78753, Contact: Fernando Yopez, Phone: (512) 837-8851.

(38) *Laboratory*: Maxim Engineers, Inc. (NIST).

Address: 2342 Fabens, P.O. Box 59902, Dallas, TX 75229, Contact: Steve Moody, Phone: (214) 247-7575.

(39) *Laboratory*: McClelland Management Services (NIST).

Address: 6100 Hillcroft, Suite 220, Houston, TX 77081, Contact: Jaye R. Stanley, Phone: (713) 995-9000.

(40) *Laboratory*: Microanalysis Laboratory, Inc. (NIST).

Address: 8499 Greenville Ave., Suite 201, Dallas, TX 75231, Contact: Carolyn Jones, Phone: (214) 340-0890.

(41) *Laboratory*: NUS Corporation (NIST).

Address: 900 Gemini, Houston, TX 77058, Contact: John W. McCormick, Phone: (713) 488-1810.

(42) *Laboratory*: National Asbestos Consultants Inc. (NIST).

Address: 4619 North Santa Fe, Oklahoma City, OK 73118, Contact:

Jerry Bowerman, Phone: (405) 528-6224.

(43) *Laboratory*: New Mexico State University (NIST), Electron Microscope Laboratory.

Address: Box 3EML, Las Cruces, NM 88003, Contact: Joseph LaPointe, Phone: (505) 646-3734.

(44) *Laboratory*: North American Analytical Labs (NIST).

Address: 4405 Crawford St., P.O. Box 6865, Abilene, TX 79605, Contact: Gene Walker, Phone: (915) 691-0172.

(45) *Laboratory*: Occupational Hygiene, (NIST).

Address: P.O. Box 181769, Dallas, TX 75218, Contact: Virginia Wheeler, Phone: (214) 324-3813.

(46) *Laboratory*: Occupational Safety & Health Consultants, Inc. (NIST).

Address: 208 North Armstrong, Bixby, OK 74008, Contact: Jeffrey Jenkins, Phone: (918) 366-4834.

(47) *Laboratory*: Oklahoma State Department of Health, Special Hazard Division (NIST).

Address: P.O. Box 53551, Oklahoma City, OK 73152, Contact: John M. Feero, Phone: (405) 271-5221.

(48) *Laboratory*: P.E.I. Microanalysis Laboratory D/FW (NIST).

Address: P.O. Box 612383 (Trailer No. 12), D/FW Airport, TX 75261, Contact: Neal Sizemore, Phone: (214) 574-1700.

(49) *Laboratory*: Phillips 66 Company (NIST), Borger Refinery & NGL Process Center Lab.

Address: Box 271, Borger, TX 79008, Contact: D. Taylor, Phone: (806) 273-2831.

(50) *Laboratory*: Precision Testing Labs, Inc. (NIST).

Address: 624 Northwest 5th St., Suite 2, Moore, OK 73160, Contact: Jerry Doyle, Phone: (405) 793-1468.

(51) *Laboratory*: ProTechnics Environmental Services, Inc. (NIST).

Address: 14760 Memorial Dr., 105, Houston, TX 77079, Contact: Steve Barham, Phone: (713) 496-9914.

(52) *Laboratory*: Raba-Kistner Consultants, Inc. (NIST).

Address: P.O. Box 690287, San Antonio, TX 78269-0287, Contact: Frank B. Schweitzer, Phone: (512) 699-9090.

(53) *Laboratory*: Regional Testing Lab, Inc. (NIST).

Address: 318 West Chestnut, Suite 204, Denison, TX 75020, Contact: Cliff Wood, Phone: (214) 463-6666.

(54) *Laboratory*: Southwest Environmental Management (NIST).

Address: Oklahoma Division, 3035 NW 63rd St., Suite 150, Oklahoma City, OK

73116, Contact: Teresa Burrows, Phone: (602) 443-0070.

(55) *Laboratory*: Southwestern Laboratories, Inc. (NIST).

Address: 2575 Lone Star Dr., Dallas, TX 75212, Contact: Lawrence M. Thompson, Phone: (214) 631-2700.

(56) *Laboratory*: Southwestern Laboratories, Inc. (NIST).

Address: 222 Cavalcade, Houston, TX 77009, Contact: Russell DiRaimo, Phone: (713) 692-9151.

(57) *Laboratory*: Southwestern Public Service Co. (NIST), Systems Laboratory.

Address: P.O. Box 1261, Amarillo, TX 79170, Contact: Dean Metcalf, Phone: (806) 381-6360.

(58) *Laboratory*: Standard Testing & Eng. Co. (NIST).

Address: 660 Distributors Row, Harahan, LA 70123, Contact: Robert E. Jones, Phone: (504) 734-8378.

(59) *Laboratory*: Standard Testing and Engineering Co. (NIST).

Address: 3400 North Lincoln Blvd., Oklahoma City, OK 73105, Contact: Cheri Marcham, Phone: (405) 528-0541.

(60) *Laboratory*: Stanley Engineering Inc. & Alpha Analytical Labs, Inc. (NIST).

Address: 2700 Northwest 39th St., Oklahoma City, OK 73112, Contact: Keith L. Stanley, Phone: (405) 948-6505.

(61) *Laboratory*: Stanley Engineering, Inc. (NIST).

Address: 4137 South Harvard, Suite E, Tulsa, OK 74135, Contact: Allison Myers, Phone: (918) 747-2929.

(62) *Laboratory*: Sun City Analytical (NIST).

Address: 6028 Surety Dr., Suite 204A, El Paso, TX 79905, Contact: David Felix, Phone: (915) 772-7850.

(63) *Laboratory*: Sunbelt Associates, Inc. (NIST).

Address: 6961 Mayo Rd., New Orleans, LA 70126, Contact: Gary C. Allen, Phone: (504) 286-6798.

(64) *Laboratory*: Technology Serving People, Inc. (NIST).

Address: 5373 West Alabama, Suite 450, Houston, TX 77056, Contact: Bill Hunt, Phone: (713) 621-9067.

(65) *Laboratory*: Terra Environmental Controls, Inc. (NIST).

Address: 2909 Division St., Suite C, Metairie, LA 70002, Contact: Jason Bourgeois, Phone: (504) 885-5711.

(66) *Laboratory*: Texas Department of Health (NIST), Asbestos Abatement Branch.

Address: 1100 West 49th St., Austin, TX 78756-3199, Contact: Don Brown, Phone: (512) 458-7318.

(67) *Laboratory*: Texas Research Institute (NIST) Environmental Division.

Address: 9063 Bee Cave Rd., Austin, TX 78733, Contact: Gary Rolls, Phone: (512) 263-2101.

(68) *Laboratory*: The Hartford Steam Boiler Laboratory (NIST), Inspection & Insurance Co.

Address: 1100 North Post Oak No. 30, Suite 300, Houston, TX 77055, Contact: Diana Spence, Phone: (713) 578-7300.

(69) *Laboratory*: University of New Orleans (NIST), Asbestos Analysis Lab, Dept. of Geology & Geophysics Lakefront.

Address: New Orleans, LA 70148, Contact: Gary Allen, Phone: (504) 286-6798.

(70) *Laboratory*: University of Texas, Health Center (NIST), Dept. of Cell Biology & Environmental Sciences.

Address: P.O. Box 2003, Tyler, TX 75710, Contact: Ronald Dodson, Phone: (214) 877-7554.

(71) *Laboratory*: Waldemar S. Nelson & Co., Inc. (NIST).

Address: 1200 St. Charles Ave., New Orleans, LA 70130, Contact: Laura E. Yager, Phone: (504) 523-5281.

(72) *Laboratory*: West-Paine Laboratories, Inc. (NIST).

Address: 7979 G.S.R.I. Ave., Baton Rouge, LA 70820, Contact: Jonny H. Vickers, Phone: (504) 769-4900.

EPA Accredited Commercial PLM Laboratories

REGION VII—Kansas City, KS

Regional Asbestos Coordinator: Wolfgang Brandner, EPA, Region VII, 726 Minnesota Ave., Kansas City, KS 66101. (913) 236-2835, (FTS) 757-2835.

(1) *Laboratory*: ACM Labs, Inc. (NIST).

Address: 304 North Main, P.O. Box 2073, Fairfield, IA 52556, Contact: David Fleshman, Phone: (515) 472-7402.

(2) *Laboratory*: ALERT Analytical Laboratories (NIST).

Address: 1900 West 47th Pl., No. 101, Westwood, KS 66205, Contact: William Garies, Phone: (913) 831-4516.

(3) *Laboratory*: Ames Environmental (NIST).

Address: 3910 Lincoln Way, Ames, IA 50010, Contact: David Fairchild, Phone: (515) 292-3400.

(4) *Laboratory*: Asbestos Consulting & Testing (NIST).

Address: 14953 West 101st. Ter., Lenexa, KS 66215, Contact: Jim A. Pickel, Phone: (913) 492-1337.

(5) *Laboratory:* Baird Scientific (NIST).

Address: P.O. Box 842, Carthage, MO 64836, Contact: Gary Baird, Phone: (417) 358-5567.

(6) *Laboratory:* CHART Services, Ltd. (NIST).

Address: 4725 Merle Hay Rd., Suite 214, Des Moines, IA 50322, Contact: Mary A. Finn, Phone: (515) 276-3642.

(7) *Laboratory:* CHART Services, Ltd. (NIST).

Address: 12616 West 62nd Ter., Suite 118, P.O. Box 18, Shawnee, KS 66216, Contact: Bernie Hemlick, Phone: (913) 268-0715.

(8) *Laboratory:* CHART Services, Ltd. (NIST).

Address: 7912 Davenport St., Omaha, NE 68114, Contact: Carmen Riegel, Phone: (402) 393-0155.

(9) *Laboratory:* Certified Environmental Management, Inc. (NIST).

Address: P.O. Box 504, Salina, KS 67402-0504, Contact: Brenda A. Tolson, Phone: (913) 536-4226.

(10) *Laboratory:* Hall-Kimbrell Environmental Services, Inc. (NIST).

Address: 4840 West 15th St., Lawrence, KS 66046, Contact: Robert Kleopfer, Phone: (913) 865-9304.

(11) *Laboratory:* Industrial Testing Laboratories, Inc. (NIST).

Address: 2350 7th Blvd., St. Louis, MO 63104, Contact: William J. Lowry, Phone: (314) 771-7111.

(12) *Laboratory:* Kansas Dept. of Health & Environment (NIST), Toxicology Section, Div of Labs and Res.

Address: Bldg. 740, Forbes Field, Topeka, KS 66620, Contact: Roger Carlson, Phone: (913) 296-1620.

(13) *Laboratory:* Larron Laboratory (NIST).

Address: 529 Broadway, Cape Girardeau, MO 63701, Contact: David Roth, Phone: (314) 334-8910.

(14) *Laboratory:* Microscopic Analysis, Inc. (NIST).

Address: 989 Gardenview Office Pkwy., St. Louis, MO 63141, Contact: Douglas N. Nimmo, Phone: (314) 993-2212.

(15) *Laboratory:* Midwestern Testing Labs, Inc. (NIST).

Address: P.O. Box 1657, Fairfield, IA 52556, Contact: Dennis Greenley, Phone: (515) 472-1881.

(16) *Laboratory:* Net Midwest Inc (NIST), Cedar Falls Division.

Address: 704 Enterprise Dr., Cedar Falls, IA 50613, Contact: Michael McGee, Phone: (319) 277-2401.

(17) *Laboratory:* Pace Laboratories, Inc. (NIST).

Address: 2005 West 103rd Ter. (B), Leawood, KS 66206, Contact: Don Wright, Phone: (913) 341-7800.

(18) *Laboratory:* Rainbow Environmental, Inc. (NIST).

Address: 9903 Pflumm Rd, Lenexa, KS 66215, Contact: Vern Simmons, Phone: (913) 894-1616.

(19) *Laboratory:* Ramsey-Schilling Consulting Group, Inc. (NIST).

Address: 503 Main St., Belton, MO 64012, Contact: George S. McDowell, Phone: (816) 331-0002.

(20) *Laboratory:* St. Louis County Health Department (NIST).

Address: 111 South Meramac, Clayton, MO 63105, Contact: Jacqueline Dohn, Phone: (314) 854-6830.

(21) *Laboratory:* The University of Iowa (NIST), University Hygienic Laboratory.

Address: Iowa City, IA 52242, Contact: I. A. Schwabbauer, Phone: (319) 335-4500.

(22) *Laboratory:* University of Missouri—Kansas City (NIST).

Address: Chemistry Dept., Kansas City, MO 64110, Contact: Dr. Peter F. Lott, Phone: (816) 276-2289.

(23) *Laboratory:* Veterans Administration (NIST).

Address: 11124 South Towne Square, 10BA5, St. Louis, MO 63123, Contact: Vince Hacer, Phone: (314) 892-7227.

EPA Accredited Commercial PLM Laboratories

REGION VIII—Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1744, (FTS) 564-1744.

(1) *Laboratory:* ARC Labs (NIST).

Address: 216 Denver Ave., Suite G&I, Grand Forks, ND 58220, Contact: Joe Worman, Phone: (701) 772-6496.

(2) *Laboratory:* ATC Environmental, Inc. (NIST).

Address: 2600 W. 29th Ave., Denver, CO 80211, Contact: Dan Benecke, Phone: (303) 480-0209.

(3) *Laboratory:* ATC Environmental, Inc. (NIST).

Address: 1515 East Tenth St., Sioux Falls, SD 57103, Contact: Donald Beck, Phone: (605) 338-0555.

(4) *Laboratory:* ATEC Associates, Inc. (NIST).

Address: 4860 Ironton, Inc. (NIST), Denver, CO 80239, Contact: Mark Komori, Phone: (303) 371-2640.

(5) *Laboratory:* Amoco Oil Company Mandan Refinery (NIST).

Address: Mandan Avenue & Old Red Trail, Mandan, ND 58554, Contact: Jennifer Romsaas, Phone: (701) 667-2463.

(6) *Laboratory:* Analytica, Inc. (NIST).

Address: 5930 McIntyre St., Golden, CO 80403, Contact: Steve Hyatt, Phone: (303) 279-2583.

(7) *Laboratory:* Bison Engineering/Research (NIST).

Address: P.O. Box 1703, Helena, MT 59624, Contact: Patricia E. Groll, Phone: (406) 442-5768.

(8) *Laboratory:* Colorado State University, Department of Environmental Health (NIST).

Address: B120 Microbiology Bldg., Fort Collins, CO 80523, Contact: Roy C. Warbington, Phone: (303) 491-6729.

(9) *Laboratory:* DCM Science Laboratory (NIST).

Address: 12975 West 24th Pl., Golden, CO 80401, Contact: Donna C. Mefford, Phone: (303) 237-0110.

(10) *Laboratory:* Datachem, Inc. (NIST).

Address: 960 West LeVoy Dr., Salt Lake City, UT 84123, Contact: Lance Eggenberger, Phone: (801) 266-7700.

(11) *Laboratory:* Dixon Information, Inc. (NIST).

Address: 78 West 2400 S., Salt Lake City, UT 84115, Contact: Willard C. Dixon, Phone: (801) 486-0800.

(12) *Laboratory:* Esstek, Inc. (NIST).

Address: 11435 West 48th Ave., Wheat Ridge, CO 80033-2101, Contact: Robert Cordova, Phone: (303) 425-7038.

(13) *Laboratory:* HTI Laboratories & Industrial Consultants (NIST) No. 1.

Address: 1806 Main Ave., Fargo, ND 58103, Contact: Constance S. Hodny, Phone: (701) 232-1399.

(14) *Laboratory:* HTI Laboratories & Industrial Consultants, Inc. (NIST).

Address: 6436 South Racine Cir., Englewood, CO 80111, Contact: Constance S. Hodny, Phone: (303) 792-2125.

(15) *Laboratory:* HTI Laboratories & Industrial Consultants, Inc. (NIST) No. 2.

Address: 1806 Main Ave., Fargo, ND 58103, Contact: Constance Hodny, Phone: (701) 232-1399.

(16) *Laboratory:* Hager Laboratories, Inc. (NIST).

Address: 11234 East Caley Ave., Englewood, CO 80111, Contact: John Molina, Phone: (303) 790-2727.

(17) *Laboratory*: Northern Engineering & Testing, Inc. (NIST).

Address: 600 South 25th St., Billings, MT 59107, Contact: Kathleen Smit, Phone: (406) 248-9161.

(18) *Laboratory*: Occupational Health Technologies, Inc. (NIST).

Address: 171 University Cir., Pueblo, CO 81005, Contact: Thomas F. Antonson, Phone: (719) 566-0422.

(19) *Laboratory*: Professional Service Ind., Inc. (NIST), Pittsburgh Lab. Div.

Address: 2955 Southwest Temple St., Salt Lake City, UT 84115, Contact: Herb Ritzman, Phone: (801) 484-8827.

(20) *Laboratory*: Survey, Management & Design (NIST).

Address: P.O. Box 8021, Fargo, ND 58109, Contact: Miles Schacher, Phone: (701) 234-9556.

EPA Accredited Commercial PLM Laboratories

REGION IX—San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-2), EPA, Region IX, 215 Fremont St., San Francisco, CA 94105, (415) 974-7290, (FTS) 454-7290.

(1) *Laboratory*: ACCULAB Environmental Services (NIST).

Address: 3700 Lakeville Hwy., Petaluma, CA 94952, Contact: Olivia Alejandro, Phone: (707) 778-4160.

(2) *Laboratory*: ASBESTECH (NIST).

Address: 6801 Fair Oaks Blvd., Suite H, Carmichael, CA 95608, Contact: Tommy G. Conlon, Phone: (916) 481-8902.

(3) *Laboratory*: Analytical Research Laboratories, Inc. (NIST).

Address: 160 Taylor St., P.O. Box 2360, Monrovia, CA 91016, Contact: Michelle Miller, Phone: (818) 357-3247.

(4) *Laboratory*: Applied Petrography, Inc. (NIST).

Address: 8520 Sorenson Ave., Suite E, Santa Fe Springs, CA 90670, Contact: Joanna Deane, Phone: (213) 945-3468.

(5) *Laboratory*: Asbestos Detection Co., Inc. (NIST).

Address: 12755 Brookhurst St., Suite 206, Garden Grove, CA 92640, Contact: Richard L. Frauenberger, Phone: (714) 530-1922.

(6) *Laboratory*: Asbestos Management Services, Inc. (NIST).

Address: 14829 Proctor Ave., Industry, CA 91748, Contact: Joseph Johnson, Phone: (818) 961-4303.

(7) *Laboratory*: Associated Safety Consultants (NIST).

Address: 13363 Saticoy St., No. 204, North Hollywood, CA 91605, Contact: Dan Flaherty, Phone: (818) 503-0471.

(8) *Laboratory*: BSE Labs, Inc. (NIST).

Address: 50 East Foothill Blvd., Arcadia, CA 91006, Contact: Gustavo Delgado, Phone: (818) 355-8911.

(9) *Laboratory*: California Water Labs (NIST).

Address: 1430 Carpenter Ln., Modesto, CA 95352, Contact: Gloria Poling, Phone: (209) 527-4050.

(10) *Laboratory*: Cam Lab (NIST).

Address: 9525 Slauson Ave., Pico Rivera, CA 90660, Contact: Michael R. Tiffany, Phone: (213) 942-8668.

(11) *Laboratory*: Clark Geological Services (NIST).

Address: 3479 Edison Way, Fremont, CA 94538, Contact: Joyce Lucas-Clark, Phone: (415) 659-1784.

(12) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).

Address: 1252 Quarry Ln., Pleasanton, CA 94566, Contact: Ron Peters, Phone: (415) 426-2600.

(13) *Laboratory*: Concord Analysis, Inc. (NIST).

Address: 9960 Canoga Ave., Suite D-8, Chatsworth, CA 91311, Contact: Johanna Farr, Phone: (818) 407-0128.

(14) *Laboratory*: Control Labs, Inc./Toxscan, Inc. (NIST).

Address: 42 Hangar Way, Watsonville, CA 95076, Contact: Philip Carpenter, Phone: (408) 724-4522.

(15) *Laboratory*: Design for Health, Inc. (NIST).

Address: 1516 West Redwood, Suite 104, San Diego, CA 92101, Contact: Steven Heindl, Phone: (619) 291-1777.

(16) *Laboratory*: Dyer Laboratories, Inc. (NIST).

Address: 2531 West 237th St., No. 121, Torrance, CA 90505, Contact: D.L. Dyer, Phone: (213) 530-3322.

(17) *Laboratory*: E & A Env'l Service, Inc. (NIST).

Address: 15943 Clark Ave., Bellflower, CA 90706, Contact: Ebbiteanga Abili, Phone: (213) 925-5080.

(18) *Laboratory*: EMS Laboratories (NIST).

Address: 507 Mission St., South Pasadena, CA 91030, Contact: Bernadine M. Kolk, Phone: (818) 441-2393.

(19) *Laboratory*: EnvironMETeo Services, Inc. (EMET) (NIST).

Address: 94-463 Ukee St., Suite A, Waipahu, HI 96797, Contact: Clifford How, Phone: (808) 671-8383.

(20) *Laboratory*: Environmental Health Services (NIST).

Address: P.O. Box 85261, San Diego, CA 92138, Contact: Larry Marshall, Phone: (619) 236-4717.

(21) *Laboratory*: Environmental Innovations Corp. (NIST).

Address: 675 Hegenberger Rd., Suite 110, Oakland, CA 94621, Contact: Kip Fout, Phone: (415) 632-0104.

(22) *Laboratory*: Esstek (NIST).

Address: 3045 Teagarden St., San Leandro, CA 94577, Contact: Bob Cordova, Phone: (303) 425-0013.

(23) *Laboratory*: Esstek, Inc. (NIST).

Address: 9041-17 Dice Rd., Santa Fe Springs, CA 90670, Contact: Robert Cordova, Phone: (303) 425-0013.

(24) *Laboratory*: Eureka Laboratories, Inc. (NIST).

Address: 3401 La Grande Blvd., Sacramento, CA 95823, Contact: Steven K. Leung, Phone: (916) 381-7953.

(25) *Laboratory*: Fiberquant, Inc. (NIST).

Address: 4824-B South 35th St., Phoenix, AZ 85040, Contact: Larry Pierce, Phone: (602) 276-6138.

(26) *Laboratory*: Forensic Analytical Specialities, Inc. (NIST).

Address: 3777 Depot Rd., Suite 406, Hayward, CA 94545, Contact: Stephen A. Shaffer, Phone: (415) 887-8828.

(27) *Laboratory*: Gemeni Petrographic Investigations (NIST).

Address: P.O. Box 2127, Novato, CA 94948, Contact: Peter A. Almendinger, Phone: (415) 892-9016.

(28) *Laboratory*: HECO Safety Division (NIST), Industrial Hygiene Section.

Address: 820 Ward Ave., Honolulu, HI 96813, Contact: Joana Teba, Phone: (808) 548-7386.

(29) *Laboratory*: Hall-Kimbrell Environmental Services (NIST).

Address: 646 South Brea Canyon Rd., Walnut, CA 91789, Contact: David Reusswig, Phone: (714) 594-3232.

(30) *Laboratory*: Hall-Kimbrell Environmental Services (NIST).

Address: 2615 South King St., Suite 2A, Honolulu, HI 96826, Contact: S. Gil Cobb, Phone: (808) 943-0254.

(31) *Laboratory*: Hanlon Laboratories (NIST).

Address: 8801 Folsom Blvd., Suite 145, Sacramento, CA 95826, Contact: Victoria Nabavi, Phone: (916) 386-2153.

(32) *Laboratory*: Health Sciences Associates (NIST).

- Address: 10771 Noel St., Los Alamitos, CA 90720, Contact: Kathy S. Jones, Phone: (714) 220-3922.
- (33) *Laboratory*: IT Corporation-Cerritos (NIST).
- Address: 17605 Fabrica Way, Cerritos, CA 90701, Contact: Mary Hammons, Phone: (213) 921-9831.
- (34) *Laboratory*: J.M. Cohen, Inc. (NIST).
- Address: 155 Bovet Rd., Suite 300, San Mateo, CA 94402, Contact: Joel Cohen, Phone: (415) 349-9737.
- (35) *Laboratory*: Kelco Asbestos Analytical Services (NIST).
- Address: 44814 Osgood Rd., Fremont, CA 94539, Contact: Patricia Brown, Phone: (415) 659-9751.
- (36) *Laboratory*: Kelco Services, Inc. (NIST).
- Address: 8421 Auburn Ave., Citrus Heights, CA 95610, Contact: Duane Graves, Phone: (916) 722-7997.
- (37) *Laboratory*: Kemron Environmental Services (NIST).
- Address: 14340 Bolsa Chica, Suite C, Westminster, CA 92683, Contact: Humphrey Laurent, Phone: (714) 373-1194.
- (38) *Laboratory*: Law Engineering, Inc. (NIST).
- Address: 5025 S. 36th St., Phoenix, AZ 85040, Contact: Peter Flening, Phone: (602) 437-0250.
- (39) *Laboratory*: McClara Laboratory (NIST).
- Address: 3560 Business Dr., Sacramento, CA 95820, Contact: Michael McClara, Phone: (916) 451-7244.
- (40) *Laboratory*: McCrone Environmental Services, Inc. (NIST).
- Address: 120 Newport Center Dr., Suite 240, Newport Beach, CA 92660, Contact: William Millar, Phone: (714) 759-6619.
- (41) *Laboratory*: Med-Tox Associates, Inc. (NIST).
- Address: 1229 Movera Boulevard, San Diego, CA 92110, Contact: Donald Lyons, Phone: (619) 276-8843.
- (42) *Laboratory*: Micro Analytical Laboratories, Inc. (NIST).
- Address: 5900 Hollis St., Suite M, Emeryville, CA 94608, Contact: Bradley Erskine, Phone: (415) 653-0824.
- (43) *Laboratory*: Microanalytical Services, Inc. (NIST).
- Address: 201 South Lake Ave., Suite 402, Pasadena, CA 91101, Contact: Lily Prigge, Phone: (818) 356-7400.
- (44) *Laboratory*: Microprobe (NIST).
- Address: 5104 East Burns, Tucson, AZ 85711, Contact: James R. Kessler, Phone: (602) 745-1189.
- (45) *Laboratory*: National Asbestos Labs, Inc. (NIST).
- Address: 2235 Polvorosa Ave., Suite 220, San Leandro, CA 94577, Contact: Kevin Smith, Phone: (415) 357-9555.
- (46) *Laboratory*: National Environmental Services, Inc. (NIST).
- Address: 5055 East Broadway, Suite D-208, Tucson, AZ 85711, Contact: Donna Katz, Phone: (602) 790-4491.
- (47) *Laboratory*: Orange County Health Care Agency (NIST).
- Address: 1729 W. 17th St., Santa Clara, CA 92706, Contact: Sol Klugman, Phone: (714) 834-8439.
- (48) *Laboratory*: PACE Laboratories (NIST).
- Address: 11 Digital Dr., Novato, CA 94949, Contact: Keith Hunter, Phone: (415) 883-6100.
- (49) *Laboratory*: Particle Diagnostics, Inc. (NIST).
- Address: 1274 Morena Blvd., San Diego, CA 92109, Contact: Dan Baxter, Phone: (619) 276-2200.
- (50) *Laboratory*: Precision Micro-Analysis (NIST).
- Address: 5685-A Power Inn Rd., Suite 102, Sacramento, CA 95824, Contact: J. Benjamin Smith, Phone: (916) 361-0694.
- (51) *Laboratory*: R.J. Lee Group, Inc. (NIST).
- Address: 2424 6th St., Berkeley, CA 94710, Contact: Jesse E. Fisher, Phone: (415) 486-8319.
- (52) *Laboratory*: Radiation Detection Co. (NIST).
- Address: 162 Wolfe Rd., P.O. Box 1414, Sunnyvale, CA 94088, Contact: Donald Shepley, Phone: (408) 735-8700.
- (53) *Laboratory*: Reynolds Electrical & Engineering Co. (NIST).
- Address: P.O. Box 98521, M/S 706, Las Vegas, NV 89193, Contact: Glen Clark, Phone: (702) 295-6379.
- (54) *Laboratory*: Salt River Project (NIST).
- Address: 600 East Curry Rd., Tempe, AZ 85281, Contact: William Powell, Phone: (602) 236-8024.
- (55) *Laboratory*: Schwein/Christensen Eng., Ltd. (NIST).
- Address: 3397 Mt. Diablo Blvd., Suite E, Lafayette, CA 94549, Contact: Conrad Christensen, Phone: (415) 284-3311.
- (56) *Laboratory*: Sonoran Desert Labs, Inc. (NIST).
- Address: 2425-A North Huachuca Dr., Tucson, AZ 85745, Contact: Frank Mendoza, Phone: (602) 624-9366.
- (57) *Laboratory*: Sonoran Desert Labs, Inc. (NIST).
- Address: 2725 Congress St., Suite 2A, San Diego, CA 92110, Contact: Greg Behnfeldt, Phone: (619) 294-7200.
- (58) *Laboratory*: Southwest Environmental Management, Inc. (NIST).
- Address: 14255 N. 79th, Suite 10, Scottsdale, AZ 85260, Contact: Teresa Burrows, Phone: (602) 443-0070.
- (59) *Laboratory*: Southwest Hazard Control, Inc. (NIST).
- Address: 5400 West Massingale Rd., Tucson, AZ 85743, Contact: Gerald J. Karches, Phone: (602) 744-1060.
- (60) *Laboratory*: Stan Tech (NIST).
- Address: 4040 E. McDowell, Suite 412, Phoenix, AZ 85008, Contact: Tjuana White, Phone: (602) 273-6934.
- (61) *Laboratory*: TEM Analytics, Inc. (NIST).
- Address: 3443 East Fort Lowell, Suite 105, Tucson, AZ 85716, Contact: Sandra Bejarauno, Phone: (602) 795-7000.
- (62) *Laboratory*: TMA/NORCAL Corporation (NIST).
- Address: 2030 Wright Ave., Richmond, CA 94804, Contact: Rosemary Shiny, Phone: (415) 235-2633.
- (63) *Laboratory*: United States Testing Co., Inc. (NIST).
- Address: 3491 Kurtz St., San Diego, CA 92110, Contact: Larry Lindeen, Phone: (619) 222-0544.
- (64) *Laboratory*: Unitek Environmental Consultants, Inc. (NIST).
- Address: 2889 Mokumoa St., Honolulu, HI 96819, Contact: Irene Enoki, Phone: (808) 834-1444.
- (65) *Laboratory*: Van Houten Consultants, Inc. (NIST).
- Address: 422 Petaluma Blvd. North Suite B, Petaluma, CA 94952, Contact: Gregory P. Arnold, Phone: (707) 762-1132.
- (66) *Laboratory*: Western Technologies, Inc. (NIST), Chemistry Lab.
- Address: 3737 East Broadway Rd., Phoenix, AZ 85040, Contact: Steve Barnes, Phone: (602) 437-3737.
- EPA Accredited Commercial PLM Laboratories
- REGION X—Seattle, WA**
- Regional Asbestos Coordinator:* Walter Jasper, EPA, Region X, 1200 Sixth Ave. (8T-063), Seattle, WA 98101. (206) 442-4762, (FTS) 399-2870.
- (1) *Laboratory*: Alaska Quality Control, Inc. (NIST).
- Address: 1205 East Int'l. Airport Rd., Suite 100, Anchorage, AK 99519.

Contact: Doug Jones, Phone: (907) 561-3055.

(2) *Laboratory*: Cascade Analytical Service (NIST).

Address: 3640 South Cedar St., Suite O, Tacoma, WA 98409, Contact: Juin B. J. TeVrucht, Phone: (206) 472-6909.

(3) *Laboratory*: Coffey Laboratories, Inc. (NIST).

Address: 4914 Northeast 122nd Ave., Portland, OR 97230, Contact: Fredrick C. Colley, Phone: (503) 254-1794.

(4) *Laboratory*: Environmental Consulting Services, Inc. (NIST).

Address: 1259 Willamette St., Eugene, OR 97401, Contact: Richard W. Carlin, Phone: (503) 345-6790.

(5) *Laboratory*: Environmental Consulting Services, Inc. (NIST).

Address: 3601 Northwest Yeon, Suite 134, Portland, OR 97210, Contact: Sheila Monroe, Phone: (503) 227-7210.

(6) *Laboratory*: Esstek, Inc. (NIST).

Address: 12822 Gateway Dr., Seattle, WA 98168, Contact: Richard C. Thompson, Phone: (303) 790-0529.

(7) *Laboratory*: Frandon Enterprises, Inc. (NIST).

Address: 511 North 48th, Seattle, WA 98103, Contact: Donald Wallace, Phone: (206) 633-2341.

(8) *Laboratory*: HAZCON, Inc. (NIST).

Address: 9500 Southwest Barbur Rd., Suite 100, Portland, OR 97219, Contact: Gerald Liddell, Phone: (503) 244-8045.

(9) *Laboratory*: HAZCON, Inc. (NIST).

Address: 5950 6th Ave. S, Suite 216, Seattle, WA 98108, Contact: Masood Hashmi, Phone: (206) 763-7364.

(10) *Laboratory*: HAZTOX, Inc. (NIST).

Address: 820 North Linder Rd., Meridian, ID 83642, Contact: Robert Woellner, Phone: (800) 548-8220.

(11) *Laboratory*: Hanford Environmental Health Foundation NHS, Inc. (NIST).

Address: 2950 C George Washington Way, Richland, WA 99352, Contact: Maureen Hamilton, Phone: (509) 376-6980.

(12) *Laboratory*: Hanford Environmental Health Foundation NHS, Inc. (NIST).

Address: 805 Goethals Dr., Richland, WA 99352, Contact: Maureen Hamilton, Phone: (509) 376-6980.

(13) *Laboratory*: M & M Environmental, Inc. (NIST).

Address: 3902 North 34th St., Tacoma, WA 98407, Contact: Mike Reid, Phone: (206) 572-2772.

(14) *Laboratory*: Marine & Environmental Testing, Inc. (NIST).

Address: P.O. Box 1142, Beaverton, OR 97075, Contact: Martin H. Finkel, Phone: (503) 286-2950.

(15) *Laboratory*: Med-Tox Associates, Inc. (NIST).

Address: 19730 64th Ave., Suite 205, Lynnwood, WA 98036, Contact: Lisa Burkard, Phone: (206) 672-2422.

(16) *Laboratory*: Microlab Northwest (NIST).

Address: 7609 140th Pl., NE, Redmond, WA 98052, Contact: Russel Crutcher, Phone: (206) 885-9419.

(17) *Laboratory*: Northwest Asbestos Consultants (NIST).

Address: 1005 Northwest Galveston, Suite E, Bend, OR 97701, Contact: Dale A. Schmidt, Phone: (503) 389-9727.

(18) *Laboratory*: Northwest Envirocon, Inc. (NIST).

Address: 3415 Truman St., Washougal, WA 98671, Contact: David Coward, Phone: (206) 835-9063.

(19) *Laboratory*: Oregon Analytical Laboratory (NIST).

Address: 14655 Southwest Old Schools Ferry Rd., Beaverton, OR 97007, Contact: Howard Boorse, Phone: (503) 644-5300.

(20) *Laboratory*: Professional Service Ind., Inc. (NIST).

Address: 700 West 58th St., Units A & B, Anchorage, AK 99518-1632, Contact: John Buzdor, Phone: (907) 561-2400.

(21) *Laboratory*: Professional Service Ind., Inc. (NIST).

Address: 611 Southeast Harrison St., Portland, OR 97214, Contact: Judy Grant, Phone: (503) 232-2183.

(22) *Laboratory*: Westinghouse Northwest Environmental Center (NIST).

Address: Kenai Peninsula Borough Maintenance, 47140 Poppy Ln., Soldotna, AK 99669, Contact: Larry Lockard, Phone: (907) 262-4011.

(23) *Laboratory*: Westinghouse Northwest Environmental Center (NIST).

Address: 1234 Columbia Dr., SE, Richland, WA 99352, Contact: Carlton Allen, Phone: (509) 735-3211.

(24) *Laboratory*: Weyerhaeuser Company (NIST), Safety & Health Service Laboratory.

Address: 32901 32nd Drive, South, Federal Way, WA 98003, Contact: Christopher Kirk, Phone: (206) 924-6639.

EPA Accredited Commercial PLM Laboratories

Non-Domestic PLM Laboratories

(1) *Laboratory*: Pinchin & Associates, Ltd. (NIST).

Address: Two Robert Speck Pkwy., Suite 290, Mississauga, Ontario, Contact: Suzanne Ruginis, Phone: (416) 279-1629.

(2) *Laboratory*: Pinchin Harris Holland Associates, Ltd. (NIST).

Address: No. 200-1285 West Pender St., Vancouver, BC, V6E 4B1, Canada, Contact: Geoffrey A. Clark, Phone: (604) 669-5979.

(3) *Laboratory*: Chatfield Technical Consulting, Ltd. (NIST).

Address: 2071 Dickson Rd., Mississauga, Ontario, Canada L5B 1YB, Contact: Eric Chatfield, Phone: (416) 896-7611.

(4) *Laboratory*: McMaster Laboratory (NIST), Occupational Health Laboratory.

Address: 1200 Main St., W., Hamilton, Ontario, Canada L8N 3Z5, Contact: Dave K. Verma, Phone: (416) 525-9140.

EPA Accredited Non-Commercial PLM Laboratories

REGION I—Boston, MA

Regional Asbestos Coordinator: Joe DeCola, EPA, Region I, Air and Management Division (APT-2311), JFK Federal Building, Boston, MA 02203. (617) 565-3835, (FTS) 835-3835.

(1) *Laboratory*: Olin Corp. (NIST), Environmental Hygiene Laboratory.

Address: 91 Shelton Ave., P.O. Box 30-9643, New Haven, CT 06511, Contact: James P. Dawson, Phone: (203) 781-5613.

(2) *Laboratory*: State of Maine, Department of Human Services (NIST), Public Health Laboratory.

Address: 221 State St., Augusta, ME 04333, Contact: John Krueger, Phone: (207) 289-2727.

EPA Accredited Non-Commercial PLM Laboratories

REGION II—Edison, NJ

Regional Asbestos Coordinator: Arnold Freiburger, EPA, Region II, Woodbridge Ave., Raritan Depot, Bldg. 5, (MS-500), Edison, NJ 08837. (201) 321-6671, (FTS) 340-6671.

(1) *Laboratory*: City of New York, Dept. of Gen. Svc. Lab, Division of Municipal Supplies (NIST).

Address: 480 Canal St., New York, NY 10013, Contact: A.D. Pacifico, Phone: (212) 925-5326.

(2) *Laboratory*: Hess Oil Virgin Islands Corp. (NIST).

Address: P.O. Box 127, Kingshill, St. Croix, VI 00850, Contact: John L. Edgley, Phone: (809) 778-4314.

(3) *Laboratory*: Nassau County Dept. of Health (NIST), Division of Laboratories & Research.

Address: 209 Main St., Hempstead, NY 11550, Contact: Robert Porter, Phone: (516) 483-9158.

EPA Accredited Non-Commercial PLM Laboratories

REGION III—Philadelphia, PA

Regional Asbestos Coordinator: Carole Dougherty, EPA, Region III (3HW-42), 841 Chestnut Bldg., Philadelphia, PA 19107. (215) 597-3160, (FTS) 597-3160.

(1) *Laboratory*: Aluminum Company of America, Environmental Health Laboratory (NIST).

Address: ALCOA Technical Center, ALCOA Center, PA 15069, Contact: R. Danchik, Phone: (412) 337-2154.

(2) *Laboratory*: Maryland Dept. of Health Laboratories Adm.-AQL (NIST).

Address: 201 West Preston St., Room 6D1, Baltimore, MD 21203, Contact: Delores E. Willis, Phone: (301) 225-6212.

(3) *Laboratory*: National Institute of Health (NIST), Safety Support Section.

Address: Building 13, Room 3K04, Bethesda, MD 20892, Contact: Randolph K. Larsen, Phone: (301) 496-3457.

(4) *Laboratory*: Pennsylvania Department of Environmental Resources (NIST).

Address: Bureau of Laboratories, P.O. Box 1467, 3rd & Reily St., Harrisburg, PA 17120, Contact: Vincent White, Phone: (717) 787-4669.

EPA Accredited Non-Commercial PLM Laboratories

REGION IV—Atlanta, GA

Regional Asbestos Coordinator: Liz Wilde, EPA, Region IV, 345 Courtland St., NE, (4APT-PT), Atlanta, GA 30365. (404) 347-5014, (FTS) 257-5014.

(1) *Laboratory*: E.I. DuPont DeNemours & Co., Cape Fear Plant (NIST).

Address: P.O. Box 2042, Wilmington, NC 28402, Contact: W.M. Tedder, Phone: (919) 371-4257.

(2) *Laboratory*: EG&G Florida (NIST), Occupational Medicine & Environmental Health Services.

Address: P.O. Box 21296, BOC-022, Kennedy Space Center, FL 32815, Contact: Patricia L. Colomere, Phone: (407) 867-3829.

(3) *Laboratory*: GTRI Microscopy Research Lab (NIST).

Address: 151 Sixth St., O'Keefe Bldg., Atlanta, GA 30057, Contact: James Smith, Phone: (404) 894-3806.

(4) *Laboratory*: TN Dept. of Health & Environment (NIST).

Address: 1522 Cherokee Trail, P.O. Box 59019, Knoxville, TN 37950, Contact: Edward McCrary, Phone: (615) 546-9221.

(5) *Laboratory*: TN Dept. of Public Health (NIST), Jackson Branch Lab.

Address: 295 Summar Dr., Jackson, TN 38302-0849, Contact: John Hitz, Phone: (901) 424-9200.

EPA Accredited Non-Commercial PLM Laboratories

REGION V—Chicago, IL

Regional Asbestos Coordinator: Anthony Restaino, EPA, Region V, 230 S. Dearborn St., (5-SPT-7), Chicago, IL 60604. (312) 886-6003, (FTS) 886-6003.

(1) *Laboratory*: Commonwealth Edison/SMAD (NIST).

Address: 1319 South First Ave., Maywood, IL 60153, Contact: Bernard Piechalak, Phone: (312) 450-5435.

(2) *Laboratory*: NIOSH (NIST).

Address: 4676 Columbia Pkwy., MS R-2, Cincinnati, OH 45226, Contact: Phil Bierkaum, Phone: (513) 841-4321.

(3) *Laboratory*: State of Illinois Department of Public Health (NIST), Toxicology Laboratory.

Address: 2121 West Taylor St., Chicago, IL 60612-4285, Contact: Dietmar Grohlich, Phone: (312) 693-4766.

(4) *Laboratory*: West Allis Memorial Hospital (NIST), Industrial Toxicology Laboratory.

Address: 8901 West Lincoln Ave., West Allis, WI 53227, Contact: Leon A. Saryan, Phone: (414) 546-6313.

EPA Accredited Non-Commercial PLM Laboratories

REGION VI—Dallas, TX

Regional Asbestos Coordinator: John West, 6T-PT, EPA, Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. (214) 655-7244, (FTS) 255-7244.

(1) *Laboratory*: Duncan Public Schools (NIST).

Address: 1706 Spruce, P.O. Box 1548, Duncan, OK 73533, Contact: Ron Murray, Phone: (405) 255-4725.

(2) *Laboratory*: Jimmie Ann Bolton (NIST).

Address: P.O. Box 49079, Austin, TX 78765, Contact: Jimmie Ann Bolton, Phone: (512) 471-3511.

(3) *Laboratory*: Phillips Petroleum IH Lab (NIST).

Address: 267 Petroleum Lab, Bartlesville, OK 74004, Contact: Wanda Waugh, Phone: (918) 661-3648.

(4) *Laboratory*: Texaco Chemical Co. (NIST), Neches Plant.

Address: P.O. Box 847, Port Neches, TX 77651, Contact: Janet E. Wiiki, Phone: (409) 722-8381.

(5) *Laboratory*: U.S. Air Force (NIST). Address: OEHL/SA, Brooks AFB, TX 78235, Contact: Edward Brown, Phone: (512) 536-3626.

EPA Accredited Non-Commercial PLM Laboratories

REGION VIII—Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1744, (FTS) 564-1744.

(1) *Laboratory*: Natl. Enforcement Investigation (NIST).

Address: Box 22527, Denver Federal Center, Denver, CO 80225, Contact: Douglas Kendall, Phone: (303) 236-9966.

(2) *Laboratory*: Public Service Co. of Colorado (NIST).

Address: Hampden Park West, Bldg. 5H, 1500 West Hampden, Englewood, CO 80110, Contact: Richard K. Price, Phone: (303) 797-4226.

EPA Accredited Non-Commercial PLM Laboratories

REGION IX—San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-2), EPA, Region IX, 215 Fremont St., San Francisco, CA 94105. (415) 974-7290, (FTS) 454-7290.

(1) *Laboratory*: Aerojet Solid Propulsion Co., Water Quality Control Lab. (NIST).

Address: P.O. Box 15699C, Sacramento, CA 95813, Contact: Jimmy Suarr, Phone: (916) 355-4051.

(2) *Laboratory*: Aerojet Tech Systems Company (NIST), Non-Metallics Testing Laboratory.

Address: P.O. Box 13222, Dept. 9410, Bldg. 200, Sacramento, CA 95813, Contact: Jeanne Fischer, Phone: (916) 355-3496.

(3) *Laboratory*: LA Unified School District (NIST), Employee Safety Section.

Address: 1425 South San Pedro St., Room 215, Los Angeles, CA 90015, Contact: Jeffrey Franklin, Phone: (213) 742-7371.

(4) *Laboratory*: Riverside County Health Department Laboratory (NIST). Address: 5888 Mission Blvd., Rubidoux, CA 92509, Contact: William Redden, Phone: (714) 784-1860.

(5) *Laboratory*: SCAQMD Laboratory (NIST).

Address: 9150 Flair Dr., El Monte, CA 91731, Contact: Joan Nierit, Phone: (818) 572-6200.

(6) *Laboratory:* Timothy B. Hemming (NIST), City of LA, Dept. of Water & Power.

Address: 1630 North Main St., Bldg. 7, Box 111, Los Angeles, CA 90051-0100, Contact: Timothy B. Hemming, Phone: (213) 481-6691.

EPA Accredited Non-Commercial PLM Laboratories

REGION X—Seattle, WA

Regional Asbestos Coordinator:
Walter Jasper, EPA, Region X, 1200 Sixth Ave. (8T-083), Seattle, WA 98101. (206) 442-4762, (FTS) 399-2870.

(1) *Laboratory:* Puget Sound Naval Shipyard (NIST).

Address: Code 1343, Bremerton, WA 98314, Contact: C. Laubach, Supervisor, Phone: (206) 476-8900.

Dated: February 21, 1990.

Charles L. Elkins,

Director, Office of Toxic Substances.

[FR Doc. 90-4445 Filed 2-27-90; 8:45 am]

BILLING CODE 5560-50-D

Crash-Resistant Fuel System

Wednesday
February 28, 1990

Part V

Department of Transportation

Federal Aviation Administration

14 CFR Part 23

Airworthiness Standards; Crash-Resistant
Fuel Systems; Proposed Rule

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. 24494, Notice No. 85-7A]

RIN 2120-AA57

Airworthiness Standards; Crash-Resistant Fuel Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rulemaking (NPRM).

SUMMARY: This notice proposes changes to the airworthiness standards to improve the crash resistance of fuel systems on normal, utility, acrobatic, and commuter category airplanes. The FAA has determined that improved crash resistance of these fuel systems is necessary to prevent deaths and injuries due to fire in survivable crashes. The proposed design changes limit fuel spillage near ignition sources and would provide additional time for the survivors to evacuate the airplane.

DATES: Comments must be received on or before June 28, 1990.

ADDRESSES: Military Specification, MIL-T-27422B, Tank, Fuel, Crash-resistant Aircraft, dated 24 February 1970, including amendment 1, dated 13 April 1971, applicable to this notice may be obtained from the Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120-5094, Attn: NPODS or may be examined at the Rules Docket at the address below.

Comments on this notice may be mailed in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-10), Docket No. 24494, 800 Independence Avenue, SW, Washington, DC 20591, or delivered to triplicate to: Room 915-G, 800 Independence Avenue, SW, Washington, DC 20591. Comments delivered must be marked Docket No. 24494. Comments may be inspected in Room 915-G between 8:30 a.m. and 5:00 p.m. on weekdays, except on Federal holidays.

In addition, the FAA is maintaining an information docket of comments in the office of Assistant Chief Counsel, ACE-7, Federal Aviation Administration, Central Region, 601 East 12th Street, Kansas City, Missouri 64106. Comments in the information docket may be inspected in the Office of Assistant Chief Counsel, Room 1558, weekdays between the hours of 7:30 a.m. and 4:00 p.m., except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Norman Vetter, Standards Office (ACE-

112), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-5688.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these proposed rules by submitting such written data, views, or arguments as they may desire. Comments relating to the environmental, energy, or economic impact that might result from adopting the proposal in this notice are invited. Communications should identify the regulatory docket or notice number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking further rulemaking action. The proposal contained in this notice may be changed based on comments received. Commenters wishing the FAA to acknowledge receipt of comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 24494." The postcard will be date stamped and returned to the commenter. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attn: Public Inquiry Center, APA-200, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3484. Communications must identify the notice number of this NPRM. Persons interested in being placed on the mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

On March 5, 1985, an Advance Notice of Proposed Rulemaking (ANPRM) was published in the *Federal Register* (50 FR 8948) as Notice 85-7. This advance notice announced the FAA's intent to incorporate airworthiness standards for crash-resistant fuel systems into part 23 of the Federal Aviation Regulations

(FAR), and invited interested persons to submit specific comments, suggestions, and recommendations to assist the FAA in determining the future course of action regarding the rulemaking activity.

The ANPRM presented the FAA's philosophy on possible rulemaking to require crash-resistant fuel systems. The ANPRM also quoted National Transportation Safety Board (NTSB) Recommendations A-80-90 through -95 verbatim and invite comments, information and views on some eight areas of consideration relative to the costs of possible rule changes. The comment period closed July 3, 1985.

The commenters, in general, support the concept of improved crash resistance for small airplane fuel systems. Some commenters emphasize that post-crash fires in survivable accidents occur only in a small percentage of accidents and that any required design changes must be cost effective. The FAA agrees with the comments received; however, the purpose of the ANPRM was to solicit the help of the public in establishing needed regulatory changes and their costs. The comments received did not provide this information. At the time the comments were received, there was an aviation panel known as the General Aviation Safety Panel (GASP), under the chairmanship of John W. Olcott, Editor and Associate Publisher of Business and Commercial Aviation Magazine which had just completed the development of recommendations for improved occupant seats for small airplanes. Because the comments to the ANPRM were not responsive, the GASP agreed to develop recommendations for proposed regulatory changes in response to the ANPRM. The FAA has received the GASP final recommendations. Since many of the ANPRM commenters participated in the GASP deliberations and agreed to the conclusions and recommendations, the GASP comment is presented verbatim below.

Recommendations of the General Aviation Safety Panel Relating to Fire-Resistant Fuel Systems for Small, General Aviation Airplanes With Less Than 10 Passenger Seats

The general aviation community is dedicated to safety. Unless aircraft are safe by design and are operated in a safe manner, the community will neither grow nor be allowed the relatively free access to the nation's airspace that it now enjoys.

For these reasons, knowledgeable members of the general aviation community, volunteering their services through an informal organization known as the General Aviation Safety Panel (GASP), met seven times for one or more days since July 1984 for

the purpose of developing meaningful recommendations in the areas of crashworthiness as it applies to post-crash fires in small, general aviation airplanes. The meetings were held at the request of the Federal Aviation Administration and were attended by representatives from that agency. Extensive research on the subject, including work sponsored by the FAA and conducted by B & M Technological Service, Inc., Cambridge, MA, was reviewed by the Panel in preparation for and during the seven meetings. In addition, members of the GASP conducted their own studies pertaining to recommendations on fire-resistant fuel systems.

The results of this GASP effort (hereafter referred to as GASP II Recommendations to differentiate from the results of the General Aviation Safety Panel in the area of energy-absorbent seats and restraint systems for small, general aviation airplanes that were submitted to the FAA on May 2, 1984 as a Proposal on Enhanced Crash Tolerance and will be referred to as GASP I Recommendations) are summarized in this position paper.

Problem Definition and Magnitude—Several different approaches were taken to identify the nature of post-crash fires and the extent to which they were responsible for fatalities in survivable crashes of small, general aviation airplanes.

Preliminary studies by the National Transportation Safety Board emphasized that the multifaceted nature of post-crash fires makes identification of ignition-source location and fire propagation difficult and imprecise. Based upon (1) the crash leaving sufficient volume within the space occupied by pilot(s) and passenger(s) to sustain life and (2) the crash resulting in fatalities caused by fire (not blunt trauma), the Safety Board estimated that about four percent of the approximately 1,000 fatalities experienced annually in today's general aviation aircraft are likely to be influenced by elimination of post-crash fires.

B & M Technological Services, Inc., under contract to the FAA, examined 667 general aviation accidents with fatal or serious injuries from the year 1983 for the purpose of identifying the nature and impact of post-crash fires. Only 250 of those accidents had sufficient documentation available to yield data for B & M's analytical approach; of those with documentation suitable for analysis and also deemed survivable (a total of 150), information relating to fuel spillage was available for 121, and 96 accidents within that subject showed signs of fuel being spilled. Of the group of 96 documented, severe but survivable accidents with spilled fuel, 78 lost fuel from ruptured fuel tanks, 48 spilled fuel from one or more fuel lines and 22 spilled fuel from one or more fittings; only 27 experienced post-crash fires and five had fatalities as a result of those post-crash fires. A total of 10 lives were lost as a result of these five fire-fatality accidents.

The B & M data suggest that about four to five percent of the severe but survivable accidents involved fatalities due to thermal injuries (4.1 percent of the 121 severe but survivable accidents where fuel-spillage data were available, and 5.2 percent of the 96

severe but survivable accidents where fuel was spilled); about 10 percent of the overall fatalities were due to thermal injuries (10 thermal deaths out of 94 fatalities within the group examined).

Additional Data Related to Problem Definition—Further analysis of the 96 severe but survivable accidents where fuel was spilled and fatalities occurred from fire (a total of five accidents) indicated that fuel emanated from damaged fuel tanks in all five cases and that lines spilled fuel in two of the five cases as did fuel fittings. The nature of fire damage is such, however, that it is difficult if not impossible to determine where the fire started, how it progressed or whether the fatality could have been prevented solely by treating either the fuel tanks, fuel lines or fuel fittings. The data support only the findings that fuel was spilled and that a fatality resulted from thermal injuries.

Studies by S. Harry Robertson, president of Robertson Aviation, Tempe, AZ, indicate that the nature of fire propagation varies among aircraft designs, and that treatment of the problem must be addressed on a design-by-design basis.

Means to Address Problem—Although the nature of post-crash fires is difficult to define in terms of precisely where the fire starts and how it spreads, clearly a prerequisite is the spillage of fuel followed by a source of ignition. If subsequent designs prevent the spillage of fuel in survivable accidents, fire-related fatalities could be reduced.

The use of flexible fuel lines, frangible fittings, breakaway valves and crash-resistant fuel tanks by the U.S. Army has dramatically reduced the likelihood of fire-related fatalities in survivable accidents of rotorcraft. Similar technology has been demonstrated quite successfully in racing cars. The immediate and complete transference of fuel-system technology from rotorcraft or racing cars to small, general aviation airplanes is highly unlikely, however, for several reasons. Rotorcraft fuel tanks tend to be box-like since they need not be confined within thin wings; racing cars also have tankage requirements that differ in capacity and shape from those of small, general aviation airplanes. Furthermore, the arrangement of fuel tanks and lines for general aviation airplanes may differ from configurations used in rotorcraft and racing cars.

Since the current technology of fire-resistant fuel systems may not be applicable, it is unrealistically simplistic to expect that small, general aviation airplanes can be manufactured economically with no likelihood of spilling fuel in a survivable accident. Specifically, the GASP found the state of the art in fuel tank design to be inappropriate with respect to weight and capacity because of the surface/volume relationship of fuel tanks needed for typical general aviation airplanes.

A fuel tank system that would have the potential for no fuel spillage in a typical survivable accident would be too heavy and suffer too great a reduction in fuel volume to be practical. Analysis by the FAA indicates that for a full range of bladder material thicknesses from 0.030 to 0.108 inches, the weight penalty would be in the range of 0.26

to 0.62 pounds per gallon, and the reduction in fuel volume would be in the range of 8 to 14 percent, with many general aviation airplanes experiencing the higher losses in fuel volume. Members of the GASP have also conducted similar studies related to weight and volume, and they support the FAA's findings.

Furthermore, preliminary analysis indicates that equipping small, general aviation airplanes with fuel tanks that would be unlikely to spill fuel during a survivable accident would decrease their operational envelope, and that more frequent landings and takeoffs would be required for refueling in order to achieve the same operational capability as current airplanes without special crash-resistant fuel tanks. In fact, the effect of requiring special crash-resistant fuel tanks throughout the airplane, based on today's technology, could be to increase the potential for injury or death due to increased incidents of in-flight fuel exhaustion or to crashes in the more frequently necessary refueling steps.

Therefore, unless compromises related to weight and fuel volume are made and the potential for increased fatalities and serious injuries resulting from those compromises is accepted, the likelihood of fuel being spilled in a survivable accident exists for any small, general aviation airplane.

Preliminary studies concerning the weight of flexible fuel lines, frangible fittings and break-away valves suggest, however, that the weight penalty of these devices may not be significant or counterproductive.

While existing data fail to identify precisely what advantages would accrue from specific treatments of the fuel system in a small, general aviation airplane, the GASP assumes that benefits will result from reducing the likelihood of considerable fuel spillage in areas where there is an obvious and high probability of ignition (such as forward of the engine firewall) and in areas where the possibility of considerable fuel being spilled and ignited would be sufficiently high to reduce significantly the time available for extrication from the airplane (such as at the juncture of the wing and fuselage) in a survivable accident.

The purpose of treating a fuel system to prevent considerable spillage of fuel in a survivable accident is to delay the onset of rapid propagation of post-crash fire in order to increase the length of time available for the pilot(s) and passenger(s) to remove themselves from the crashed airplane. These treatments and design changes may not in all cases prevent a post-crash fire. The Panel believes that increasing the time available for extrication will be a contribution to safety, particularly if GASP I requirements for seats and restraint systems (which enhance the likelihood that an occupant in a survivable accident will be conscious and ambulatory) are applied.

Also, obvious sources of ignition, such as electrical lines that have sufficient voltage to create a spark if improperly grounded, should be separated from fuel lines in those areas where a fuel line rupture is likely in a survivable accident.

The means for increasing the time available for extrication in a survivable accident by preventing large quantities of fuel spillage near obvious ignition sources and near the pilot/passenger volume, needs to be considered for each design individually. It is not practical to develop a universal specification for the design of fire-resistant fuel systems that would be applicable to all aircraft.

GASP II Recommendations

I. The General Aviation Safety Panel recommends that the Federal Aviation Administration require all small, general aviation airplanes capable of carrying fewer than 10 passengers and having an application date for a new type certificate after December 31, 1988 (assuming that appropriate amendments to the Federal Aviation Regulations can be enacted by that date) be designed so that no more than 8.0 ounces of fuel spillage per fitting will occur in the junctures of lines and connections and in the area denoted in paragraphs I(a) through I(d).

- I(a). The wing/fuselage juncture
- I(b). The firewall/engine-mount juncture
- I(c). The juncture between tip tanks and wings
- I(d). The dry-bay area behind an engine if used to carry fuel

II. The GASP recommends that any fuel tank located in an engine nacelle or any fuselage tank located between the engine and an area occupied by either pilots of passengers, or any fuel tank external to the wing's contour (but not including tip tanks) should comply with the requirements of MIL-T-27422B, Type II, Class A with the following exceptions from MIL-T-27422B:

- II(a). Constant tear rate—the minimum energy for complete separation shall be 200 foot pounds.
- II(b). Impact penetration—drop height of a five-pound chisel shall be 8.0 feet.
- II(c). Impact tear—drop height of a five-pound chisel shall be 8.0 feet and the average tear shall not exceed 1.0 inches.
- II(d). Crash impact Phase I—delete.
- II(e). Crash impact test of full size production test cell—the cell shall be filled to 80 percent of normal capacity with water and the air removed. The cell shall be placed upon a platform and dropped from a height of 50 feet without leakage after impact.

III. The GASP recommends that the FAA investigate additional means to reduce fuel spillage from fuel tanks in general, provided such means do not detract from the overall performance and safety of aircraft because of factors such as increased weight, extensive tank maintenance or overall complexity of their design.

IV. The GASP recommends that the Federal Aviation Administration prepare an Advisory Circular that identifies acceptable means for compliance with regulations pertaining to fire-resistant fuel systems.

This document represents the concerted opinion of the General Aviation Safety Panel in response to the FAA's Advanced Notice of Proposed Rulemaking Docket No. 24494; Notice No. 85-7.

Respectfully submitted,
John W. Olcott,
Chairman, General Aviation Safety Panel

Discussion

The FAA has reviewed the GASP recommendations and proposes to incorporate into part 23 of the FAR certain recommended provisions for crash-resistant fuel systems. In consideration of recommendations I and II, the FAA proposes to add §§ 23.967(f) and 23.993(f) (1), (2), (3), and (4) to part 23. GASP recommendation II specifically excluded the incorporation of flexible liners in wing tip tanks. Subsequent to the receipt of the GASP recommendations, the FAA received additional data which shows that ruptured wing tip tanks have been the fuel source for post-crash fires in which there were fire related injuries. Therefore, proposed § 23.967(f) would also include a requirement for the incorporation of flexible liners in wing tip tank installations. GASP recommendation III will be addressed through FAA sponsored research development efforts through the FAA Technical Center.

In addition, several currently type certificated airplanes utilize bladder fuel tanks that are included in the type design at the option of the airplane manufacturer. For these optionally installed tanks, proposed § 23.967(g) would require that optionally installed bladder fuel tanks meet the crash-resistant requirements of § 23.993(f).

The FAA will request from the Director of the Federal Register approval for incorporation by reference of any military specifications that are included in any final rule based on these proposed standards.

In response to GASP recommendation IV, following promulgation and prior to the effectivity of any final rule resulting from this rulemaking, the FAA will formulate and make available for public comment, an advisory circular presenting acceptable means of compliance with the new regulations pertaining to fire-resistant fuel systems.

The GASP recommendations address only normal, utility, and acrobatic category airplanes having a passenger seating configuration of nine or less, excluding pilot seats. That was the size limit set for the GASP investigation at the time the panel was formed to investigate crash-resistant fuel systems; however, that limit was set before commuter category airplane type certification standards were added to part 23 (52 FR 1806; January 15, 1987). Therefore, for the purpose of this proposal, it is incumbent upon the FAA to extend the GASP recommendations to

all part 23 airplanes, including commuter category.

The FAA has determined that another area which was not included in the GASP recommendations and which should be considered for fuel spillage protection is the connection between adjacent fuel tanks, especially interconnected tanks functioning as a single tank. Displacement between such tanks during a survivable accident may spill hazardous quantities of fuel. Therefore, the FAA proposes to add § 23.993(f)(5) to address this concern.

Following its review of crashworthiness technology, the FAA concluded that the rules should address the separation of fuel spills from possible ignition sources. A new § 23.993(g) is proposed to incorporate such design requirements.

The GASP recommendations did not address the incorporation of crash-resistant fuel systems into current production (already certificated) airplanes. The FAA has determined that these systems are needed in all newly manufactured airplanes. However, the FAA also realizes that time must be allowed for the manufacturers to incorporate the needed type design changes. Accordingly, the FAA is proposing to amend § 23.2 to require that airplanes manufactured three years or more after the effective date of this final rulemaking action comply with these rules. In addition, the requirements of the current § 23.2 have also been revised for clarity.

Also, the GASP recommendations did not include a recommendation for the conditions under which ruptures of fuel lines and connections should not liberate more than 8 ounces of fuel. Because there are crashes where the occupants will not survive, such as those where the airplane flies into a solid object, the FAA has attempted to define the crash conditions using the term "a survivable accident" in proposed §§ 23.993 (f) and (g), and (g)(3). Although there is no established definition for "a survivable accident", the FAA believes that this term identifies crashes (accidents) in which the airplane occupants survived and needed to be protected from the occurrence of a post-crash fire while they were exiting the airplane or being rescued from it. Due to the lack of an accepted definition of this term, the FAA is interested in the public's position on its use and for recommendations for alternate wordage that might be used. Accordingly, comments on the use of this term are particularly solicited.

Regulatory and Economic Evaluations

This regulatory evaluation analyzes the benefits and costs of the proposal. A more detailed evaluation has been placed in the docket.

Benefits

The National Transportation Safety Board reviewed the Advanced Notice of Proposed Rulemaking (ANPRM) and made extensive comments relating to the potential benefits of crash-resistant fuel systems. One of their comments is as follows:

In summary, about 14 percent of the fatally injured occupants in fire accidents evaluated above could have survived had there been no fire. That translates to about a 4 percent yearly reduction in fatalities in all general aviation airplane crashes if post-crash fires were prevented in survivable crashes. Additionally, about 26 percent of the seriously injured occupants in accidents with fire could have been injured less severely had there been no fire which represents about a 6 percent yearly reduction in serious injuries.

The safety board believes that the predicted 4 percent reduction in fatalities by averting fires is an absolute minimum based on a conservative analysis of the accidents. The anticipated improvements through other crashworthiness rulemaking efforts, such as the addition of dynamically tested seat/shoulder harness systems and energy absorbing seats, may expand the survivable envelope of general aviation airplane accidents so that more occupants will survive the impact. These anticipated improvements will increase the number of occupants who will be exposed to post-crash fires which further warrants rulemaking in this area.

The safety board's conclusions were based on a study of 537 accidents that occurred in 1982. The survivability of the accidents was determined and an analysis made of the differences in fatality rates between accidents with and without fires. The FAA believes that methodology is sound and has used the NTSB's analysis in calculating prospective benefits.

B & M Technological Services, Inc. has conducted studies of casualty loss as a result of airplane crashes. Their analysis was based on a review of 151 accidents, which occurred in 1983 and resulted in 94 fatalities. Of these accidents, 19 percent involved post-crash fires and, of the 23 fatalities occurring in these accidents, 10 were caused by the fire, 8 were caused by trauma, and 5 resulted from unknown causes. Therefore, about 56 percent of the fatalities in accidents involving fire were the result of the fire. This is about four times the rate determined by the NTSB. The difference is a result of B & M's more restrictive criteria in selecting accidents. Only those that were survivable and had

sufficient data were used in their analysis. Since the NTSB data base was more extensive, its data will be used in this analysis.

During the years 1985, 1986, and 1987, there were 892, 901, and 778 fatalities, respectively, in fixed-wing aircraft, and there was an average of 200,000 fixed-wing aircraft in the general aviation fleet. Therefore, there was an average fatality rate of 4.3 fatalities per 1,000 airplanes. Since fire fatalities represent about 4 percent of total fatalities, there was an average fire fatality rate of 0.17 fatalities per 1,000 airplanes. Since the average life of an airplane is 20 years, the fire fatality rate per 1,000 airplanes over the life of the airplane is 3.4. The FAA, for analytical purposes, values a human life at \$1 million. This is generally the minimum statistical value used in government regulatory analysis. Therefore, the loss as a result of fire is an average of \$3,400 per airplane or \$1,450 in present value dollars (a 10 percent discount rate is used). Since the number of serious injuries caused by fire is about half the number of fatalities and the value of a serious injury is less than 10 percent the value of a life, potential reductions in the number of such injuries will not be used in the calculation of benefits.

If the proposals were 100 percent effective in preventing fires, the benefits would be \$1,450 per airplane. The benefits will be proportional to the effectiveness. For example, if the proposals were only 20 percent effective, the benefits would be \$290 per airplane.

The findings from a study of Army helicopter accidents showed that 9 percent of 895 helicopter accidents that occurred without crash-resistant fuel systems resulted in post-crash fires, and that of 702 accidents with the crash-resistant fuel systems, only 2 percent resulted in fire. Without the crash-resistant systems, post-crash fires occurred more than four times as often. According to the study, those fires that did occur in aircraft with the crash-resistant fuel systems were small and localized. Propagation was delayed significantly, allowing occupants to escape or to be rescued. The FAA believes that helicopter accidents, although different in some respects than fixed-wing airplane accidents, serve a useful proxy to measure effectiveness. In helicopters, the crash-resistant fuel system was about 80 percent effective; i.e., about 80 percent of the fires were eliminated as a result of implementing crash-resistant fuel systems. The proposals for this regulatory action are not as encompassing as those for military helicopters. In particular, wing

tanks do not need a bladder. Assuming that no fuel tanks are modified, the FAA believes the effectiveness for these proposals will range between 40 and 60 percent and, therefore, the benefits are estimated to be an average of \$580 to \$870 per airplane.

The accident rate differs for single-engine and multiengine airplanes. For example, in 1985, the fatality rate for single-engine airplanes was 3.9 fatalities per 1,000 airplanes, and for the multiengine airplanes the fatality rate was 5.2 fatalities per 1,000 airplanes. These figures compare to the average of 4.3 fatalities per 1,000 airplanes for an average fleet over 3 years as calculated above. Therefore, the benefits are estimated to be \$530 to \$790 for a single-engine airplane and \$700 to \$1,050 for a multiengine airplane.

Costs

The proposal is likely to cause change in the design of current fuel systems to make them more crashworthy. The cost of the new systems is dependent on the type of airplane. Generally, the costs will be higher for larger airplanes than for smaller ones. Even among airplanes of the same size, costs can vary. For example, some airplanes may have fuel tanks which will require bladders and others will not. The costs will be developed for two kinds of airplanes, a single-engine airplane and a multiengine airplane. Generally, manufacturers did not provide detailed data but preferred to respond to the NPRM. Therefore, the FAA provided the major input for the cost estimates.

There are two basic constituents in the cost of the fuel system: the fixed cost and variable cost. Fixed costs are composed of the following: engineering design and development, certification for newly designed aircraft and amending the certification for currently produced airplanes, and tooling and training.

Table 1 shows the development of the fixed costs for single-engine and multiengine airplanes, for both newly certificated and amended certificated models. The costs are incremental. For example, for a newly designed airplane, the costs are those in addition to those associated with the normal design process based on current regulations. The fuel systems are already a major component of airplanes and there are numerous current safety requirements in the FAR. Therefore, the fixed costs are not expected to be as high for newly certificated airplanes as for those that have to be redesigned. In addition, the proposed requirements for the fuel system can be integrated into the overall

certification program for a new aircraft, whereas, for a currently produced airplane, an amended certification would be an additional process.

The design hours and cost estimates were based on discussions with manufacturers and estimates made by the FAA. The cost per hour for design time includes overhead. Designers are well aware of the elements of crashworthy design and, therefore, for newly designed airplanes, the

incremental design cost should not be significant. For current designs, some problems may arise in changing to crashworthy systems and new drawings will be required. Testing costs cover actual testing and certification analysis required to satisfy FAA that the type design complies with applicable airworthiness standards. The major portion of this cost is expected to be for analysis and documentation rather than for actual testing. The only actual

testing required by the proposal is a test of each flexible fuel cell design to show no loss of a hazardous quantity of fuel under certain crash conditions. This test will be accomplished by a drop test of a fuel cell, which is not an expensive or complicated test. Tooling and training costs include expenses for fixtures, tools and testing devices to manufacture the fuel systems, and the cost of training workers.

Table 1.—FIXED COSTS

Task	Single-Engine		Multiengine	
	New Cert.	Amended	New Cert.	Amended
Design hours.....	100	400	200	600
Cost at \$60 per hour.....	\$6,000	\$24,000	\$12,000	\$36,000
Testing costs.....	\$20,000	\$40,000	\$30,000	\$60,000
Tooling and training.....	\$10,000	\$20,000	\$20,000	\$40,000
Total costs.....	\$36,000	\$84,000	\$62,000	\$136,000
Units amortized.....	1,000	1,000	1,000	1,000
Cost per unit.....	\$36	\$84	\$62	\$136

The variable costs consist of parts, labor, and overhead for producing an improved fuel system for each airplane. Special fuel line fittings will be required as will improved fuel lines in some places. In addition, a more crashworthy fuel cell will be required in some airplanes.

An important element in crash-resistant fuel systems is the installation of frangible, self-sealing fittings at key places in fuel lines. These fittings are designed to break away at designated points and at specific stresses, such as those occurring in a survivable crash. They would not activate in a hard landing or under stresses less severe than in a survivable crash. When the break occurs, a mechanism such as a ball or flapper valve closes off the fuel line so that fuel will not leak. There are many such fittings in use today in military helicopters. It is difficult to determine the cost of the fittings without knowing how many different kinds of fittings will be required and the production run of a particular airplane. The FAA estimates that the incremental cost of such a fitting will be about \$60. The number of such fittings will vary from one type of airplane to another. Single-engine airplanes have relatively simple fuel systems and multiengine airplanes have more complex systems. It is estimated that about 7 such fittings will be required for a single-engine airplane and about 11 fittings will be required for a multiengine airplane. Flexible sections of fuel line are expected to add about \$100 to the cost of a single-engine airplane and \$150 to

the cost of a multiengine airplane. The fittings are light in weight and will add only about 2 to 3 ounces per fitting. Therefore, their weight will not affect the cost estimates. The total estimated cost for these types of improvements will be \$520 and \$810 for a single and a multiengine airplane, respectively.

Fuel Tank Cost

The second major element in a crash-resistant fuel system is a strong flexible fuel tank. Typically, to provide this crash resistance, bladder cells are constructed of neoprene and nylon are installed. In addition, a fuel cavity lining is usually also installed to minimize chafing between the bladder cell and airframe structural elements. The cost can be affected in three ways: the first is the cost of the improved cell, the second is the increase in weight of the airplane, and the third is a possible reduction in fuel capacity.

The cost of the fuel tank is dependent on its design, size, and the number of airplanes produced. The average cost of a bladder cell meeting the requirements of this proposal, including installation, is estimated to be about \$10 per gallon of tank capacity.

For a newly certificated airplane, that would provide the same performance characteristics of payload, range, and speed as an unmodified airplane, the gross weight would have to increase about 2 percent, and there would be attendant operating cost increases. Existing designs would not incur a weight penalty since the weight of the bladder tank is less than the fuel it

displaces. However, the airplane would incur a range penalty as a result of not being able to carry as much fuel. The introduction of bladders to all fuel cells would result in a range reduction of 8 to 14 percent.

The above discussion addresses the imposition of crashworthy design for all fuel tanks in an airplane. The proposals are much more limited. Only fuel tanks located in an engine nacelle or located in the fuselage between the engine and an area occupied by the pilot or passengers, or any fuel tank external to the wing's contour, such as a tip tank, would be required to have an internal bladder. However, the use of tip tanks and tanks located in the fuselage is relatively rare. Further, fewer than 10 percent of part 23 aircraft are believed to use nacelle tanks. Therefore, the cost of implementing these proposals relating to bladders will be limited to less than 10 percent of all part 23 aircraft. An airplane that has only integral wing tanks would bear no cost increase as a result of the proposals relating to bladders.

Cost Summary

The total cost of all improvements in this proposal for a newly certificated airplane would be \$556 plus fuel bladder costs and \$872 plus fuel bladder costs for a single-engine and multiengine airplane, respectively. This is composed of \$36 in fixed costs and \$520 in the cost of fuel line fittings for the single-engine airplane and \$62 in fixed costs and \$810 for fuel line fittings for the multiengine airplane. The cost for reworking existing

designs would only be an additional \$48 and \$74 for a single- and a multiengine airplane, respectively

Comparison of Benefits and Costs

The estimated benefits of the proposal were calculated based on a determination that it would reduce fatalities due to post-crash fires by 40 to 60 percent. Further, higher benefits were calculated for multiengine airplanes than for single-engine airplanes because of differences in their current accident rates. Estimates of costs associated with this proposal vary according to whether the aircraft has one or more engines, whether it is a new production aircraft of existing design or a newly certificated model, and whether the aircraft is one of a very small group with a fuel tank that would require a bladder.

The benefits for a newly certificated single-engine airplane were estimated to range from \$530 to \$790, compared to a cost of \$556 (plus fuel bladder costs, if any). Fuel bladder costs can be minimized or completely eliminated in the design process through the use of integral wing tanks. The benefits for newly certificated multiengine airplanes are estimated to range from \$700 to \$1,050, compared to a cost of \$872 (plus fuel bladder costs, if any).

For new production airplanes of current design, the issue of fuel bladder cost is more important than with newly certificated airplanes, but would affect only about 10 percent of such aircraft. Benefits for an existing design single-engine airplane were estimated to range between \$530 to \$790, as compared to estimated costs of \$604 (plus fuel bladder costs, if any). Benefits for an existing design multiengine airplane were estimated to range from \$700 to \$1,050, compared to a cost of \$946 (plus any fuel bladder costs).

In this analysis, benefits exceed costs (excluding fuel bladder costs, if any) in all cases at the 60 percent effectiveness level, when employing the minimum statistical value of \$1 million to represent a human life. Even at the 40 percent effectiveness level, the cost per life saved is only \$1.35 million. The accident record clearly shows that this proposal will prevent several people from being fatally burned every year. On balance, the FAA believes this proposed regulation to be cost-beneficial.

Sensitivity Analysis

As indicated in the above analysis, there is a degree of uncertainty to the FAA estimates of benefits and costs. The critical elements are discussed below.

Casualty Loss

The prospective casualty loss was based on the historical record of accidents. The analysis of the historical record was of necessity based on accidents where information was available and extrapolations were made to the entire population. In addition, judgment had to be used in determining whether a fatality was a result of fire or trauma. In calculating the prospective casualty rate, it was assumed that the future fatality rate, without the benefit of these proposals, would remain the same as the historical rate of the last three years. The historical rate of fatalities per airplane has been decreasing at about a 2 to 3 percent rate per year. However, this is probably a result of flying hours being reduced by about 3 percent per airplane over the last several years, but this trend is not likely to continue. The FAA does believe that accident rates will probably decrease in the future as improvements are made in pilot training, in airplanes and in the air traffic control system. If the accident rate was decreased by 2 percent per year, the benefits could be decreased by 14 percent. However, the improvements through other crashworthiness rulemaking actions, such as the addition of dynamically tested and improved seat/shoulder harness systems and improved cabin safety, will tend to reduce fatalities as a result of trauma and subject these occupants to post-crash fire. Therefore, other improvements are not expected to significantly affect future fire casualty loss.

Value of Life

At present, there is a general consensus that, for analytical purposes, a reasonable statistical value of human life (or, stated another way, a reasonable cost to protect a human life) is a minimum of \$1 million. The benefits calculated in this study vary directly with the value used. For example, if a value of \$2 million were used instead of the \$1 million value that was actually used, the benefits would be twice as great.

Effectiveness of Crashworthy Fuel System

The effectiveness, that is, the percentage of prospective fatalities avoided by the proposals, was based on military experience with improved fuel systems, and evaluation by the FAA. If, for example, the effectiveness of the proposals were only half as much as the FAA believes, that is, 20 to 30 percent rather than 40 to 60 percent, the benefits would also be reduced by half.

Cost of Crashworthy Fuel System

There is uncertainty in the cost estimates as a result of the indefinite size of production runs, the absence of detailed analyses of component costs by the manufacturers, and the lack of reliable estimates of what the competitive market may be. Any change in costs will cause a proportional change in the costs per life saved.

Conclusion Relating to Benefits and Costs

On balance, the FAA believes this proposed regulation to be cost-beneficial. However, there is uncertainty in many of the elements composing the benefits and costs. It is expected that the comments to the NPRM relating to these economic factors will help to clarify the magnitude of the benefits and costs and, therefore, the FAA actively solicits comments relating to the economic analysis as well as to other sections of the NPRM.

Trade Impact Assessment

The proposal, if adopted, would have little or no impact on trade opportunities for both U.S. firms doing business overseas and foreign firms doing business in the United States. In the United States, newly manufactured airplanes whether of foreign or domestic origin, would have to meet the requirements of the proposal. U.S. manufacturers would not have to provide the crashworthy systems for the foreign market; therefore, their cost penalty would be minimal. If foreign nations adopt standards similar to those of the United States, there would be no competitive disadvantage at all.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by Government regulations. The RFA requires agencies to review rules which may have "a significant economic impact on a substantial number of small entities."

This rule amends part 23 of the FAR. Part 23 prescribes airworthiness standards for the issue of type certificates for airplanes in the normal, utility, acrobatic, and commuter categories. The FAA size threshold for a determination of a small entity for aircraft manufacturers is 75 employees; that is, an aircraft manufacturer with more than 75 employees is considered not to be a small entity. A substantial number of small entities, as defined by the FAA, means a number which is not less than 11 and which is more than one-

third of the small entities subject to the proposed rule. There are less than 11 small airplane manufacturers that will be subject to this proposal and, therefore, this proposed change does not have a significant economic impact on a substantial number of small entities.

Federalism Implications

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Conclusion

For reasons discussed earlier in the preamble of this notice, the FAA has determined that this document (1) involves a proposed regulation that is not major under the provisions of Executive Order 12291; and, (2) is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). In addition, I certify that under the criteria of the Regulatory Flexibility Act, this proposed rule, if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities. In addition, this proposal, if adopted, would have little or no impact on trade opportunities for U.S. firms doing business overseas or for foreign firms doing business in the United States.

List of Subjects in 14 CFR Part 23

Aircraft, Air transportation, Aviation safety, Safety.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend part 23 of the Federal Aviation Regulations (14 CFR part 23), as follows:

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, ACROBATIC, AND COMMUTER CATEGORY AIRPLANES

1. The authority citation for part 23 continues to read as follows:

Authority: 49 U.S.C. 1344, 1354(a), 1355, 1421, 1423, 1425, 1428, 1429, 1430; 49 U.S.C. 106(g) (Revised Pub. L. 97-449; January 12, 1983).

2. Section 23.2 is revised to read as follows:

§ 23.2 Special retroactive requirements.

(a) Notwithstanding §§ 21.17 and 21.101 of this chapter and irrespective of the type certification basis, each normal, utility, and acrobatic category airplane having a passenger seating configuration of nine or less, excluding pilot seats, or any such foreign manufactured airplanes approved for entry into the United States, manufactured after December 12, 1986, must provide a safety belt and shoulder harness for each forward- or aft-facing seat which will protect the occupant from serious head injury when subjected to the inertia loads resulting from the ultimate static load factors prescribed in § 23.561(b)(2), or which will provide the occupant protection specified in § 23.562 when that section is applicable to the airplane. For other seat orientations, the seat/restraint system must be designed to provide a level of occupant protection equivalent to that provided for forward- or aft-facing seats with a safety belt and shoulder harness installed.

(b) Each shoulder harness installed at a flight crewmember station, as required by this section, must allow the crewmember, when seated with the safety belt and shoulder harness fastened, to perform all functions necessary for flight operations.

(c) Notwithstanding §§ 21.17 and 21.101 of this chapter and irrespective of the type certification basis, each normal, utility, acrobatic, or commuter category airplane, including any such foreign manufactured airplanes approved for entry into the United States, manufactured (insert date three years after the effective date of this amendment) must meet the requirements of §§ 23.967 (f) and (g) and 23.993 (f) and (g).

(d) For the purpose of this section, the date of manufacture is:

(1) The date the inspection acceptance records, or equivalent, reflect that the airplane is complete and meets the FAA Approved Type Design Data; or

(2) In the case of a foreign manufactured airplane, the date the Foreign Civil Airworthiness Authority certifies the airplane is complete and issues an original standard airworthiness certificate, or the equivalent in that country.

3. Section 23.967 is amended by adding new paragraphs (f) and (g) to read as follows:

§ 23.967 Fuel tank installation.

(f) Any fuel tank located in an engine nacelle, or any fuselage tank, or any other tank located between the engine(s) and an area occupied by either pilots or

passengers, or any fuel tank external to the wing's external contour, including tip tanks, must incorporate a flexible liner. The fuel tank liner material must meet the tear, impact, and crash resistance requirements of Military Specification (Mil. Spec.), MIL-T-27422B, Tank, Fuel, Crash-resistant Aircraft, dated 24 February 1970, including amendment 1, dated 13 April 1971, Type II, non-self-sealing, Class A, flexible cell construction, with the following modifications to those requirements:

(1) Constant rate tear—the minimum energy for complete separation shall be 200 foot pounds (ref. Mil. Spec. 4.6.5.1).

(2) Impact penetration—drop height of a five-pound chisel shall be 8.0 feet (ref. Mil. Spec. 4.6.5.2).

(3) Impact tear-drop height of a five-pound chisel shall be 8.0 feet and the average tear shall not exceed 1.0 inches (ref. Mil. Spec. 4.6.5.3).

(4) Crash impact phase I—delete (ref. Mil. Spec. 4.6.6.2).

(5) Crash impact test of a full size production test cell—the cell shall be filled to 80 percent of normal capacity with water and the air removed. The cell shall be placed upon a platform and dropped from a height of 50 feet without leakage after impact (ref. Mil. Spec. 4.6.7.9.2).

(g) For fuel tanks other than those specified in paragraph (f) of this section in which the airplane manufacturer elects to install a bladder tank, that bladder must meet the tear, impact, and crash-resistant requirements of this section.

4. Section 23.993 is amended by adding new paragraphs (f) and (g) to read as follows:

§ 23.993 Fuel systems lines and fittings.

(f) The fuel system must be designed so that no more than 8.0 ounces of fuel will be liberated by any rupture that will occur in the junctures of lines and connections, as a result of a survivable accident, in the following areas:

- (1) The wing/fuselage juncture;
- (2) The firewall/engine-mount juncture;
- (3) The juncture between the tip tanks and the wings;
- (4) Any dry-bay area adjacent to an engine if used to carry fuel; and
- (5) The juncture of fuel lines and tanks in any series of fuel tanks interconnected to function as a single fuel tank.

(g) The fuel system must be designed to avoid the contact of spilled fuel with any possible ignition source in a survivable accident. The design must:

(1) Avoid locating electrical systems, components, and wiring capable of producing ignition sparks, adjacent to fuel lines.

(2) Incorporate extendible lines in any portion of the fuel system other than those specified in paragraph (f) of this section, where structural deformation

could lead to release of fuel to an ignition source.

(3) Locate fuel lines, fittings, and tanks to avoid fuel or fuel vapor ignition from potential mechanical friction spark sources having a probability of being activated or created during a survivable accident.

Issued in Washington, DC on 14 February 1990.

Thomas E. McSweeney,
Acting Director, Aircraft Certification Service.

[FR Doc. 90-4477 Filed 2-27-90; 8:45 am]

BILLING CODE 4910-13-M

The following is a list of the names of the members of the American Medical Association, as reported in the official journal of the Association, the Journal of the American Medical Association, for the month of May, 1930.

The members are listed in alphabetical order, and are divided into two classes: Regular Members and Life Members.

Regular Members: [List of names]

Life Members: [List of names]

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Federal Register

Vol. 55, No. 40

Wednesday, February 28, 1990

INFORMATION AND ASSISTANCE

Federal Register

Index, finding aids & general information	523-5227
Public inspection desk	523-5215
Corrections to published documents	523-5237
Document drafting information	523-5237
Machine readable documents	523-3447

Code of Federal Regulations

Index, finding aids & general information	523-5227
Printing schedules	523-3419

Laws

Public Laws Update Service (numbers, dates, etc.)	523-6641
Additional information	523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the Presidents	523-5230
Weekly Compilation of Presidential Documents	523-5230

The United States Government Manual

General information	523-5230
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Guide to Record Retention Requirements	523-3187
Legal staff	523-4534
Library	523-5240
Privacy Act Compilation	523-3187
Public Laws Update Service (PLUS)	523-6641
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, FEBRUARY

3385-3562	1
3563-3714	2
3715-3934	5
3935-4164	6
4165-4394	7
4395-4596	8
4597-4828	9
4829-4980	12
4981-5204	13
5205-5432	14
5433-5562	15
5563-5832	16
5833-5954	20
5955-6230	21
6231-6350	22
6351-6590	23
6591-6782	26
6783-6968	27
6969-7288	28

CFR PARTS AFFECTED DURING FEBRUARY

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:	246	3385
6091	272	6233
6092	273	6233
6093	275	6233
6094	277	4350
6095	300	5433
6096	301	6353, 6726
6097	318	5433
6098	354	3564
6099	401	4395, 5436, 6971
6100	905	3565
6101	907	3567, 3937, 4598, 5564, 6355

Executive Orders:

July 2, 1910 (Revoked in part by PLO 6766 of Feb. 7, 1990)	5011	910	3570, 4600, 5567, 6358
Feb. 17, 1915 (Revoked in part by PLO 6766 of Feb. 7, 1990)	5011	920	5568
Aug. 9, 1916 (Revoked in part by PLO 6769)	6392	932	4397
11830 (Amended by EO 12704)	6969	985	4983
12334 (Amended by EO 12704)	5953	993	5570
12367 (Amended by EO 12704)	6969	1002	5716
12692 (Amended by EO 12701)	6969	1250	6972
12701	5953	1430	4306
12702	6231	1751	5436
12703	6351	1765	3570
12704	6969	1770	3387
Administrative Orders:	3935	1772	3685
Feb. 1, 1990	3935	1901	5961
Presidential Determinations:	68	1930	6241
No. 90-7 of Jan. 17, 1990	4826	1944	3939, 6241
No. 90-8 of Jan. 24, 1990	5425	1951	4398, 5975
No. 90-9 of Jan. 26, 1990	4827	1955	3939, 5961
		1962	4165
		1965	4985
		1980	5961
		3018	6736

Proposed Rules:

29	4615
54	3962
55	3963, 5118
56	3963, 5118
59	3963, 5118
68	4582
70	3963, 5118
300	3965
319	3965
322	3968
499	4382, 5998
810	6996
919	5852
925	5602
1046	5852
1106	5854
1210	6261
1260	6400

8 CFR

214	5572
238	3715
274a	5572

9 CFR

71	5576
82	5576

7 CFR

52	5541
81	5563

92.....6359
381.....5976
391.....4410

Proposed Rules:
92.....3969, 4849

10 CFR

70.....5978
74.....5978
435.....3714
600.....6736
601.....6736

Proposed Rules:
Ch. I.....4615
35.....4049
40.....3970
50.....5603
70.....5603
110.....4181

12 CFR

203.....5443
225.....6787
264b.....3576
411.....6736
563.....4601
745.....5584
747.....5587
1505.....5358
1506.....5346
1605.....5370
1606.....5346

Proposed Rules:
9.....4184
34.....5808
208.....4810
225.....4810
323.....6266
325.....4616
330.....4755, 5855
331.....4755, 5855
502.....6274
563d.....6274
564.....5464
722.....5614
741.....5614
1608.....6283

13 CFR

134.....4411
146.....6736
309.....3400
Proposed Rules:
120.....5998

14 CFR

21.....4986
23.....4986
39.....3577-3581, 4165,
4412-4419, 4829, 4832,
5592-5594, 5833, 5979,
6726, 6974, 6977
71.....3583, 4167, 4168,
4420, 5595, 5596, 5834-
5837, 5981, 6978, 6979
73.....3685, 5981
75.....4168
95.....5597
97.....4834
121.....3698, 5548
252.....4991
1271.....6736
Proposed Rules:
Ch. I.....4849, 5856, 6002
21.....5014, 6003, 6996
23.....5014, 7280

25.....4790, 6003, 6344, 6996
39.....4431-4436, 4850, 5621,
5621, 5622, 6008, 6876,
6999-7005
71.....4198, 5623-5625,
6009, 6291
73.....5164, 5625, 6340
Ch. III.....5856

15 CFR

28.....6736
771.....6791
799.....6726, 6791

Proposed Rules:
400.....6292

17 CFR

5.....4993
31.....4993
141.....5207
400.....6603
403.....6603
449.....6603
450.....6603

Proposed Rules:
1.....5023

18 CFR

2.....6605
32.....3943
157.....4994
271.....4602, 6367
272.....3944
274.....5982
284.....6605
1315.....6736

19 CFR

12.....4995
Proposed Rules:
101.....5857
122.....5225

20 CFR

404.....4936
416.....4421, 4936, 5945
Proposed Rules:
404.....3410, 6010
416.....3410, 4438

21 CFR

5.....5445, 6246, 6794
14.....5838
81.....3516
82.....3516
133.....6794
178.....3584
184.....6384
310.....6926
430.....6633
436.....6636
440.....5839
442.....6633
446.....6636
453.....5841
520.....3585
522.....3586
558.....3585, 3685, 5445
1308.....3586
Proposed Rules:
101.....5176
174.....4624
175.....4624
176.....4624
177.....4624

348.....6932
500.....5194
589.....5194
1020.....5024

22 CFR

138.....6736
227.....6736
311.....6736
514.....6795
519.....6736
712.....6736

23 CFR

640.....4835
658.....4996
Proposed Rules:
Ch. I.....5856
771.....3599
Ch. II.....5856
Ch. III.....5856
Ch. IV.....5856

24 CFR

87.....6736
207.....6796
255.....6796
291.....4836

Proposed Rules:
203.....6806
234.....6806

26 CFR

1.....3716, 3792, 4049, 4998,
6980
602.....4049
Proposed Rules:
1.....3750, 4853, 7006
602.....4853

27 CFR

4.....5414
5.....5414
7.....5414
9.....5842
16.....5414
55.....3717
Proposed Rules:
4.....3980
5.....3980

28 CFR

64.....3945
69.....6736
544.....6178
551.....6178
Proposed Rules:
551.....6181

29 CFR

93.....6736
1601.....4306
1910.....3723, 3724, 4998,
5118
1926.....3724
2619.....5446
2621.....6247
2676.....5447
Proposed Rules:
1910.....3412, 4052, 4938
1926.....4938
2700.....4853

30 CFR

5.....3946

75.....4592
913.....5209
935.....3588
946.....3588, 3733

Proposed Rules:

56.....4624, 5118, 6011
57.....4624, 5118, 6011
58.....5118
70.....5118, 6011
71.....5118, 6011
72.....5118
75.....5118, 5858
90.....5118
206.....5024, 6646
243.....6401
256.....3603
736.....3982
740.....3982
750.....3982
902.....5226
906.....4625
917.....4866, 4868, 5227
918.....5858
935.....3604
938.....6647, 6656
948.....5859

31 CFR

2.....5118
21.....6736
215.....3590

Proposed Rules:

565.....3560

32 CFR

98a.....4999
224.....5002
282.....6736
301.....6248
384.....5003
396.....5006
706.....6391

Proposed Rules:

199.....3982, 7006

33 CFR

84.....3946
87.....3946
117.....3948, 4603, 5599,
5845, 6638
165.....6638
334.....3591

Proposed Rules:

Ch. I.....5856
100.....5029
110.....5541
117.....3750, 4869, 4936
161.....3704
165.....3984

34 CFR

201.....6981
82.....6736

Proposed Rules:

363.....5132

35 CFR

119.....4837

36 CFR

67.....6764

38 CFR

21.....3738
36.....6982

45.....	6736	101-45.....	6983	35.....	5120	622.....	5774
Proposed Rules:		101-49.....	3953	78.....	5120	623.....	5774
4.....	6658	105-69.....	6736	97.....	5120	625.....	5774
3.....	4199	Subtitle F.....	3740	108.....	5120	632.....	5774
36.....	4869	301.....	5945	109.....	5120	636.....	5774
39 CFR		302-11.....	5945	167.....	5120	637.....	5774
Proposed Rules:		Proposed Rules:		169.....	5120	648.....	5774
111.....	3985	201-1.....	4204	170.....	5120	653.....	5774
40 CFR		201-2.....	4204	171.....	5120	701.....	6801
34.....	6736	201-3.....	4204	185.....	5120	702.....	6801
51.....	5824	201-4.....	4204	196.....	5120	706.....	6801
52.....	3401-3403, 3593-3595, 4169, 5447, 5846, 5985, 5986, 6253	201-6.....	4204	Ch. III.....	5856	715.....	6801
60.....	5211, 5990	201-7.....	4204	515.....	5626	728.....	6801
61.....	5990	201-9.....	4204	525.....	5626	750.....	6801
81.....	3403, 4169, 5599	201-11.....	4204	530.....	5626	752.....	6801
82.....	5007	201-22.....	4204	540.....	6807	Ch. 7 Appendix	
86.....	7178	201-39.....	4204	560.....	5626	970.....	5461
141.....	4423	201-45.....	4204	572.....	5626	Proposed Rules:	
142.....	4423	42 CFR		47 CFR		42.....	3794
143.....	4423	36.....	4606	0.....	6797	49.....	5344
180.....	4174, 5217, 6254, 6255, 6639	90.....	5136	2.....	4174, 6392	52.....	3794, 3798
185.....	5219	433.....	4364, 5118	63.....	3741	1515.....	5948
228.....	3688, 3948	Proposed Rules:		65.....	4820	1552.....	5948
260.....	6640	433.....	4626	69.....	6989	5243.....	3608
261.....	5340, 6640	441.....	6015	73.....	3741, 4175, 4177, 4611, 4612, 4838, 4839, 6394, 6395, 6643-6645 6797, 6800	49 CFR	
262.....	6640	1003.....	3986	74.....	6800	20.....	6736
264.....	6640	43 CFR		80.....	6020, 6392	171.....	6758
265.....	6640	18.....	6736	87.....	4174	172.....	6758
268.....	6640	20.....	5011	97.....	4612	173.....	6758
270.....	6640	22.....	4609	Proposed Rules:		174.....	6758
271.....	4604, 5600, 6640	5450.....	3943	Ch. I.....	6292, 6293	175.....	6758
300.....	6154	6764.....	3740	1.....	4882	176.....	6758
302.....	5340	6765.....	4838	2.....	4883	177.....	4423, 6758
355.....	5544	6766.....	5011	22.....	4882-4884	178.....	6758
372.....	5220	6767.....	6767	64.....	5632	179.....	6758
799.....	3407, 5991	6768.....	6767	65.....	4822	180.....	6758
Proposed Rules:		6769.....	6392	69.....	6018, 6294	240.....	4177
52.....	3606, 4201, 5626	Proposed Rules:		73.....	3751, 3752, 4205-4208, 4631, 4632, 4884-4886, 6659, 6808	383.....	6727
86.....	3685, 5472	4700.....	3989	76.....	3415, 3752, 4208	390.....	6991
152.....	4956, 5861	44 CFR		80.....	4886, 6020	391.....	3546
153.....	4956	18.....	6736	90.....	4883-4888	571.....	4424
155.....	4956	64.....	3955, 3956, 6984, 6986	94.....	4888	580.....	6257
156.....	4956	65.....	6987	97.....	6404	591.....	3742, 6994
157.....	4956	67.....	5449, 6988	48 CFR		1162.....	6805
162.....	4956	206.....	5458	3.....	4936	Proposed Rules:	
163.....	4956	Proposed Rules:		5.....	3878	Subtitle A.....	5856
164.....	4956	67.....	5230, 5476, 7011	6.....	3878	28.....	4633
165.....	4956	337.....	5476	14.....	3878	29.....	5862
166.....	4956	45 CFR		15.....	3878	171.....	4445
167.....	4956	2.....	4610	17.....	3878	172.....	4445, 6730
168.....	4956	93.....	6736	19.....	3878	173.....	4445, 6730
169.....	4956	95.....	4364	22.....	3878	174.....	4445
170.....	4956	205.....	4364	28.....	3878	175.....	4445
171.....	4956	307.....	4364	29.....	3878	176.....	4445
172.....	4956	604.....	6736	31.....	3878	177.....	4445
173.....	4956	707.....	5778	35.....	3878	178.....	4445
180.....	4203, 4956, 5229	1158.....	6736	46.....	3878	Ch. II.....	5856
228.....	3693	1168.....	6736	47.....	3878	Ch. III.....	5856
260.....	4440	1230.....	6736	48.....	3878	Ch. IV.....	5856
261.....	4440	1351.....	5601	52.....	3878	Ch. V.....	5856
262.....	4440	Proposed Rules:		53.....	3878	533.....	3608, 5338
264.....	4440	613.....	5234	525.....	6256	538.....	5633
265.....	4440	46 CFR		528.....	5222	571.....	3618, 4445-4453, 5237, 6407
268.....	4440	25.....	3957	552.....	5222, 6256	575.....	5237
270.....	4440	184.....	3957	553.....	5222	Ch. VI.....	5856
281.....	5861	308.....	5458	601.....	5774	1152.....	6660
372.....	4879, 5030, 5472	Proposed Rules:		605.....	5774	1244.....	3416
716.....	6012	Ch. I.....	5856	607.....	5774	50 CFR	
721.....	6012	32.....	5120	608.....	5774	17.....	4152, 4157
41 CFR		Proposed Rules:		609.....	5774	23.....	5847
Ch. 101.....	3740	Ch. I.....	5856			285.....	6994

650.....	4613
652.....	5462
663.....	3747
672.....	3408, 4839, 5994, 6396
675.....	4839, 6396

Proposed Rules:

17.....	4209, 6020, 6022, 6184, 6660
20.....	6584
301.....	6295
628.....	4049, 4212
642.....	5242, 6726
651.....	5863
652.....	3416
658.....	5246

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Last List February 22, 1990

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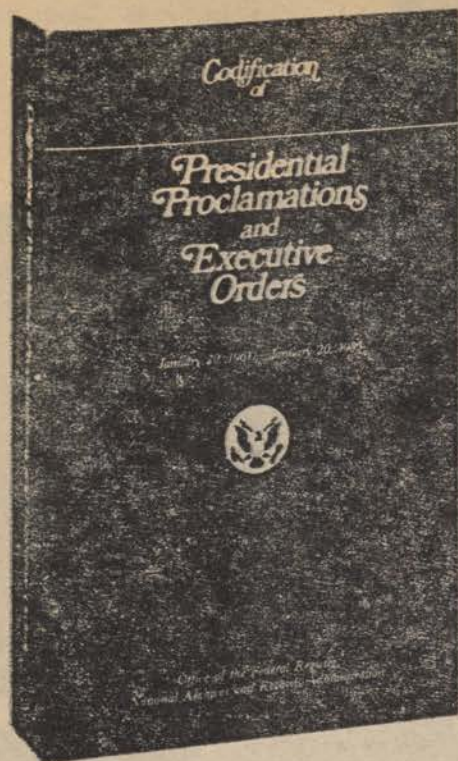
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